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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIABY           de           DEPUTYUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2006 Grand Jury

**07 CR 2016 IEG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK ANTHONY HEREDIA (1),  
WILLIAM POLK HARRINGTON (2),  
TODD WURTZEL (3),  
aka "Sonny Gallo,"  
CLAUDE COVINO (4),  
DOLORES LOVIN (5),  
MARY ARONSON (6),  
SUBRAMANYA K. PRASAD, M.D. (7),  
CHANDRESH B. SHAH, M.D. (8),  
GERALD C. MORRIS, M.D. (9),  
DAVID ELTON FISHER (10),  
RICHARD EDWARD KOCH (11),  
PHILIP JAMES BIDWELL (12),  
HENRIKO CHUNG (13),  
JEFFREY A. LIGHT (14),  
TRACY ONEAL TYLER (15),  
PETER P. BRAGANSA (16),  
BESSIE K. RICOARANGO (17),  
NATHAN JACOBSON (18),

Defendants.

Criminal Case No. \_\_\_\_\_

INDICTMENTTitle 18, U.S.C., Sec. 1962(d) – Racketeering  
Conspiracy; Title 18, U.S.C., Sec. 1962(c) –  
Racketeering; Title 21, U.S.C., Sec. 846 –  
Conspiracy to Distribute Controlled  
Substances; Title 21, U.S.C., Sec. 841(a)(1) –  
Distribution of Controlled Substances;  
Title 18, U.S.C., Sec. 1349 – Conspiracy to  
Commit Wire and Mail Fraud; Title 18,  
U.S.C., Sec. 1343 – Wire Fraud;  
Title 18, U.S.C., Sec. 1341 – Mail Fraud;  
Title 18, U.S.C., Sec. 1956(h) – Conspiracy to  
Commit Money Laundering; Title 21, U.S.C.,  
Sec. 331(k) – Distribution of Misbranded  
Drugs; Title 18, U.S.C., Sec. 982 - Criminal  
Forfeiture

The Grand Jury charges:

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CAW:nlv(5):San Diego  
7/27/07

## I

INTRODUCTION

At all times material to this indictment:

The Affpower Enterprise

1. The "Affpower enterprise" was an organization that used the Internet to distribute and dispense prescription pharmaceuticals unlawfully. Beginning in about August 2004 and continuing through June 2006, the Affpower enterprise sold controlled and non-controlled prescription drugs online to customers located throughout the United States. The enterprise principally consisted of managers and administrators of the organization; merchant websites for the purchase of drugs; affiliated websites that marketed the enterprise's pharmaceuticals and promoted sales; a network of physicians who issued prescriptions for the pharmaceuticals; a network of pharmacies that dispensed the drugs; and credit card processors to process the drug purchases. During its nearly two years of operation, the enterprise received well over one million customer orders for prescription pharmaceuticals and illegally generated revenue in excess of \$126 million.

2. The Affpower enterprise unlawfully distributed and dispensed prescription pharmaceuticals for which no valid prescriptions had been issued. The enterprise sold controlled and non-controlled prescription drugs to customers who had no prescriptions from a personal physician. Instead, the organization paid licensed doctors located across the United States cursorily to review health questionnaire answers provided by customers over the Internet and to issue prescriptions solely on the basis of those answers. Affpower enterprise doctors conducted no physical or mental examinations before issuing prescriptions, had no contact with customers, and had no physician-patient relationship with any customer for whom the doctors prescribed drugs. The doctors issued drug prescriptions, not in the course of diagnosing and treating medical conditions, but to facilitate the sale of prescription pharmaceuticals pre-selected by customers and for the doctors' own personal profit. Affpower doctors unlawfully issued prescriptions for controlled and non-controlled prescription drugs outside the usual course of their professional practices and for no legitimate medical purpose. The prescriptions they issued for Affpower customers were invalid.

1           3.       The Affpower enterprise devised a scheme and artifice to defraud and mislead online  
2 drug customers and United States government regulatory agencies, and used materially false and  
3 fraudulent pretenses, representations, and promises to obtain money from its customers. As a part  
4 of this scheme, the Affpower enterprise, through its affiliated websites, marketed itself to customers  
5 who sought to obtain prescription drugs but who lacked prescriptions from personal physicians as  
6 a lawful, safe, and responsible source from which to purchase such drugs over the Internet. This  
7 portrayal of the Affpower enterprise and its business was false. Affpower's health questionnaire was  
8 a medically inadequate and improper basis upon which to prescribe drugs; Affpower doctors did not  
9 conscientiously or thoroughly review all customer responses to the medical questionnaire before  
10 issuing drug prescriptions; customer health was jeopardized by the manner in which the Affpower  
11 enterprise prescribed and dispensed drugs; and Affpower's prescription drug sales were forbidden  
12 by federal and state laws.

13           4.       The Affpower enterprise, including its leadership, membership and associates,  
14 constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4) (hereinafter  
15 "the enterprise" or "Affpower"), that is, a group of individuals and entities associated in fact. The  
16 enterprise had an ascertainable structure separate and apart from the structure inherent in the conduct  
17 of its racketeering activity, and it constituted an ongoing organization whose members functioned  
18 as a continuing unit for a common purpose of achieving the objectives of the enterprise. This  
19 enterprise was engaged in, and its activities affected, interstate and foreign commerce. The  
20 Affpower enterprise conducted its activities within the Southern District of California as well as  
21 throughout the United States.

22           5.       Among the means and methods by which the defendants and their co-racketeers  
23 conducted and participated in the conduct of the affairs of the Affpower enterprise were the  
24 following:

25               a.       Customers who looked to buy prescription pharmaceuticals over the Internet,  
26 but who lacked prescriptions from personal physicians, purchased such drugs from the Affpower  
27 enterprise by first visiting a website whose owner affiliated with, and participated in, the enterprise.  
28

1 These websites listed drugs and dosages sold by Affpower, and their respective prices. When  
2 customers clicked on a link corresponding to a particular drug and dosage to purchase the drug, the  
3 customers were immediately transferred to different websites operated by administrators and  
4 managers of the enterprise. These "merchant" websites included www.safetrustprocessing.com and  
5 www.ccbasket.com. At the merchant websites, customers entered personal information, including  
6 a name, date-of-birth, shipping address, and a credit card number for billing, and filled out the  
7 Affpower health questionnaire. After providing all the requisite information on the merchant  
8 websites, customers submitted their prescription drug orders. Doctors participating in the Affpower  
9 enterprise accessed the customer orders and health questionnaire answers at the merchant websites.  
10 If a doctor approved a pharmaceutical order, the order and an electronic prescription were sent to a  
11 pharmacy queue on the merchant website. Pharmacies participating in the Affpower enterprise  
12 accessed orders approved by Affpower doctors and the accompanying electronic prescriptions at the  
13 merchant websites and shipped the pharmaceuticals to customers via Federal Express, a commercial  
14 shipping company with expedited shipping services.

15 b. Owners of websites that marketed prescription pharmaceuticals through and  
16 on behalf of the Affpower enterprise were located in various states and were known as Affpower  
17 "affiliates." Affiliates were given a base price for each prescription drug sold by the enterprise. The  
18 difference between the base price and the price charged to the customer by the affiliate constituted  
19 the affiliate's profit. Each affiliate designed his or her own affiliate websites, usually incorporating  
20 language and images supplied by administrators of the enterprise. Affiliates engaged in online  
21 advertising and search engine optimization to attract drug customers to their websites and the  
22 Affpower enterprise. As a part of the scheme to defraud and mislead online drug customers and  
23 United States government regulatory agencies, the affiliate websites contained various materially  
24 false representations, and used false and fraudulent pretenses, to create a misleading impression of  
25 Affpower's business and to induce and encourage customers to purchase prescription  
26 pharmaceuticals from the Affpower enterprise. The misrepresentations often included, but were not  
27 limited to, assurances that Affpower doctors and pharmacies complied with all applicable state laws;  
28

1 that the enterprise met or exceeded all regulations governing prescription pharmaceuticals sales; that  
2 prescribing the specific medications sold and dispensed by Affpower purely on the basis of an online  
3 health questionnaire was a safe, effective and medically accepted practice; and that Affpower doctors  
4 were uniquely qualified to prescribe medications online and thoroughly and conscientiously  
5 reviewed each customer health questionnaire before prescribing drugs. Each and every one of those  
6 representations was materially inaccurate.

7 c. The Affpower enterprise recruited licensed physicians from different states  
8 and Puerto Rico to review and approve orders for prescription drugs by Affpower customers.  
9 Typically, Affpower doctors were paid about three dollars for each customer order reviewed. In  
10 determining whether to issue prescriptions, Affpower doctors had absolutely no contact with  
11 customers, but instead relied exclusively upon the information provided by customers in Affpower's  
12 online health questionnaire. To keep pace with a constant influx of numerous customer orders, each  
13 Affpower doctor commonly reviewed hundreds of drug orders and customer health questionnaires  
14 per day, and some doctors occasionally reviewed in excess of a thousand orders and questionnaires  
15 in a single day. Oftentimes, Affpower doctors accessed, approved, and issued prescriptions for  
16 customer orders within one to five seconds, and, on average, they approved about ninety-eight  
17 percent of orders reviewed. The doctors occasionally issued prescriptions for pharmaceuticals even  
18 when a customer's answers in Affpower's health questionnaire suggested either that the ordered drug  
19 was contraindicated and could pose a danger to the customer, or that the customer did not have a  
20 medical condition for which the ordered medication was an appropriate treatment. In some cases,  
21 a member of the Affpower enterprise who was not a medical doctor misappropriated the identity of  
22 a licensed physician, and approved customer orders and issued prescriptions using that physician's  
23 name and registration.

24 d. The Affpower enterprise also recruited licensed pharmacies to fill prescription  
25 drug orders. Due primarily to the illegality of Affpower's business, it was often difficult for  
26 Affpower to recruit or retain pharmacies to fill customer orders, and the enterprise frequently  
27 experienced shortages of pharmaceuticals. Over the course of its business activity, Affpower  
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1 recruited over thirty pharmacies to participate in the enterprise. Some participating pharmacies, like  
2 Saveon RX Pharmacy, located in the State of Florida, existed solely to service online pharmacy  
3 networks like Affpower and had the capacity to acquire and dispense large quantities of prescription  
4 drugs. Other participating pharmacies, like St. Vrain Pharmacy, located in the State of Colorado,  
5 were traditional brick-and-mortar pharmacies that dispensed drugs to walk-in customers as well as  
6 through online networks like Affpower. In addition to their product costs, Affpower pharmacies  
7 typically received anywhere from five dollars to thirteen dollars in fees or commissions for each  
8 pharmaceutical order they shipped.

9 e. To process its credit card transactions, the Affpower enterprise contracted with  
10 two foreign-based credit card processing agencies, including RX Payments, Ltd., of Tel Aviv, Israel.  
11 Affpower proceeds acquired from pharmaceutical sales were transferred by these agencies to  
12 Affpower bank accounts established in Nicosia, Cyprus. Affpower managers arranged for the  
13 creation of the Cypriot bank accounts to conceal and protect enterprise proceeds from United States  
14 law enforcement and as a further part of the scheme to defraud and mislead United States  
15 government regulatory agencies. An accounting firm in Nicosia, Cyprus, disbursed the proceeds to  
16 Affpower participants, including Affpower affiliates, pharmacies, and recruiters who paid Affpower  
17 doctors, according to instructions for payment issued by Affpower administrators.

18 f. The Affpower enterprise located its administrative headquarters in San Jose,  
19 Costa Rica, and its servers, which hosted its merchant websites, in Nicosia, Cyprus, primarily to  
20 evade United States law enforcement and as a further part of its scheme to defraud and mislead  
21 United States government regulatory agencies. Affpower's administration included managers and  
22 administrators of the organization who, among other things, recruited, and hired others to recruit,  
23 doctors, pharmacies, and website affiliates to the enterprise; managed, or delegated to recruiters the  
24 responsibility to manage, those who were recruited to the enterprise; authorized payments to  
25 participants in the enterprise; devised and implemented policies and procedures for the enterprise;  
26 and maintained or oversaw others who maintained the enterprise's servers and software. The  
27 Affpower administration in Costa Rica also included a customer service department consisting of  
28



1 some forty employees who answered telephone and online customer inquiries, and facilitated  
2 pharmaceutical sales.

3 g. The generic and brand-name prescription pharmaceuticals sold and distributed  
4 by the Affpower enterprise included, but were not limited to, benzphetamine; Didrex®;  
5 phendimetrazine; Bontril®; Adipost®; diethylpropion; Tenuate®; phentermine; Adipex-P®;  
6 sibutramine; Meridia®; zaleplon; Sonata®; zolpidem tartrate; Ambien®; amitriptyline; bupropion;  
7 Wellbutrin®; Zyban®; buspirone; carisoprodol; Soma®; Celexa®; cyclobenzaprine; Flexeril®;  
8 estradiol; fluoxetine; Prozac®; fluvoxamine; paroxetine; Paxil®; sertraline; Zoloft®; sildenafil;  
9 Viagra®; tadalafil; Cialis®; tizanidine; Zanaflex®; and tramadol.

10 6. The defendants were employed by and associated with the Affpower enterprise, and  
11 participated in the conduct of the enterprise's affairs, in the following general, non-exclusive  
12 capacities:

13 a. Defendant MARK ANTHONY HEREDIA was a manager and administrator  
14 in the Affpower enterprise in San Jose, Costa Rica;

15 b. Defendants WILLIAM POLK HARRINGTON and TODD WURTZEL,  
16 aka "Sonny Gallo," recruited doctors and pharmacies to participate in the Affpower enterprise, and  
17 each defendant managed the doctors recruited by that defendant;

18 c. Defendant CLAUDE COVINO operated Saveon RX Pharmacy, in the State  
19 of Florida, which participated in the Affpower enterprise, and he recruited other pharmacies to  
20 participate in the Affpower enterprise;

21 d. Defendants DOLORES LOVIN and MARY ARONSON owned, operated and  
22 were licensed pharmacists working in St. Vrain Pharmacy, in the State of Colorado, which  
23 participated in the Affpower enterprise;

24 e. Defendants SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH,  
25 M.D., and GERALD C. MORRIS, M.D., were licensed medical doctors who issued prescriptions  
26 for controlled and non-controlled prescription drugs through and on behalf of the Affpower  
27 enterprise;

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1 f. Defendants PHILIP JAMES BIDWELL and HENRIKO CHUNG were  
2 Affpower affiliates who operated multiple affiliate websites, and who recruited other affiliates to the  
3 Affpower enterprise and managed them;

4 g. Defendants DAVID ELDON FISHER, RICHARD EDWARD KOCH,  
5 JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, and BESSIE K.  
6 RICOARANGO were Affpower affiliates who operated multiple affiliate websites; and

7 h. Defendant NATHAN JACOBSON was the owner and manager of RX  
8 Payments, Ltd., a credit card processing agency, located in Tel Aviv, Israel, which processed credit  
9 card transactions involving the sales of prescription pharmaceuticals by the Affpower enterprise.

## 10 II

### 11 The Controlled Substances Act

12 7. The Controlled Substances Act ("CSA") governed the manufacture, distribution, and  
13 dispensing of controlled substances in the United States. 21 U.S.C. §§ 801-971. Under the CSA,  
14 various prescription drugs were also controlled substances.

15 8. The CSA scheduled controlled substances according to their potential for abuse or  
16 dependence, their accepted medical use, and their accepted safety for use under medical supervision.  
17 21 U.S.C. § 812(b). There were five Schedules of Controlled Substances, Schedules I, II, III, IV,  
18 and V. Schedule III Controlled Substances were defined as having (1) a potential for abuse less than  
19 the drugs or other substances in Schedules I and II; (2) a currently accepted medical use in treatment  
20 in the United States; and (3) a potential to lead to moderate or low physical dependence or high  
21 psychological dependence if abused. 21 U.S.C. § 812 (b)(3). The following prescription drugs sold  
22 and distributed by the Affpower enterprise were Schedule III Controlled Substances and categorized  
23 as stimulants: benzphetamine, Didrex®, phendimetrazine, Bontril®, and Adipost®. 21 C.F.R.  
24 § 1308.13.

25 9. Under the CSA, Schedule IV Controlled Substances were defined as having (1) a low  
26 potential for abuse relative to the drugs or other substances in Schedule III; (2) a currently accepted  
27 medical use in treatment in the United States; and (3) a potential to lead to limited physical  
28



dependence or psychological dependence if abused relative to the drugs or other substances in Schedule III. 21 U.S.C. § 812 (b)(4). The following prescription drugs sold and distributed by the Affpower enterprise were Schedule IV Controlled Substances: the stimulants diethylpropion, Tenuate®, phentermine, Adipex-P®, sibutramine, Meridia®; and the depressants zaleplon, Sonata®, zolpidem tartrate, and Ambien®. 21 C.F.R. § 1308.14.

10. Title 21, Code of Federal Regulations, Section 1306.04(a) provided:

A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of section 309 of the Act (21 U.S.C. 829) and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances.

### III

#### State Laws

11. An example of some state laws and regulations that prohibited licensed physicians from prescribing, distributing or dispensing controlled substances based solely upon online health questionnaires like that used by the Affpower enterprise included:

#### a. Georgia

Defendant CHANDRESH B. SHAH, M.D., resided and was licensed to practice medicine in the State of Georgia. The Georgia Composite State Board of Medical Examiners regulated the practice of medicine in the State of Georgia, and issued rules governing professional conduct. Section 360-3-.02 of the Board's Rules of Composite State Board of Medical Examiners, Investigations and Discipline provided, in pertinent part, as follows:

#### **Rules 360-3-.02 Unprofessional Conduct Defined.**

360-3-.02 Unprofessional Conduct Defined. Amended. O.C.G.A. §§ 43-1-19 and 43-34-37 authorize the Board to take disciplinary action against licensees for unprofessional conduct. "Unprofessional conduct" shall include, but is not limited to, the following:

...

(5) Prescribing controlled substances (O.C.G.A. T. 16, Ch. 13, Art. 2) and/or dangerous drugs (O.C.G.A. T. 16, Ch. 13, Art. 3) for a patient based solely on a consultation via electronic means with the patient, patient's guardian or patient's agent. This shall not prohibit a licensee who is on-call or covering for another licensee from prescribing up to a 72-hour supply of medications for a patient of such other licensee nor shall it prohibit a licensee from prescribing medications when documented emergency circumstances exist.

(6) Providing treatment and/or consultation recommendations via electronic or other means unless the licensee has performed a history and physical examination of the patient adequate to establish differential diagnoses and identify underlying conditions and/or contra-indications to the treatment recommended. This shall not prohibit a licensee who is on call or covering for another licensee from treating and/or consulting a patient of such other licensee.

A "dangerous drug" as used in Section 360-3-.02(5) means any drug other than a controlled substance that may be dispensed only upon a prescription under federal law. Ga. Code Ann., § 16-13-71.

b. Kentucky

Defendant SUBRAMANYA K. PRASAD, M.D., resided and was licensed to practice medicine in the State of Kentucky. Under the Kentucky Revised Statutes, the Kentucky Board of Medical Licensure could deny an application or reregistration for a medical license, place a licensee on probation, suspend a license, limit or restrict a license for an indefinite period, or revoke any license issued by the Board upon proof that the licensee engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public or any member thereof. KRS § 311.595. Kentucky Revised Statutes, Section 311.597, further provided:

"[D]ishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public or any member thereof" shall include but not be limited to the following acts by a licensee:

(1) Prescribes or dispenses any medication:

...

(e) In response to any communication transmitted or received by computer or other electronic means, when the licensee fails to take the following actions to establish and maintain a proper physician-patient relationship:

1. Verification that the person requesting medication is in fact who the patient claims to be;

2. Establishment of a documented diagnosis through the use of accepted medical practices; and

3. Maintenance of a current medical record.

For the purposes of this paragraph, an electronic, on-line, or telephonic evaluation by questionnaire is inadequate for the initial evaluation of the patient or for any follow-up evaluation.

c. Ohio

Defendant SUBRAMANYA K. PRASAD, M.D., was also licensed to practice medicine in the State of Ohio. Ohio Administrative Code, Section 4731-11-09, provided, in relevant part:

**4731-11-09 Prescribing to persons not seen by the physician**

(A) ... [A] physician shall not prescribe, dispense, or otherwise provide, or cause to be provided, any controlled substance to a person who the physician has never personally physically examined and diagnosed.

(B) ... [A] physician shall not prescribe, dispense, or otherwise provide, or cause to be provided, any dangerous drug which is not a controlled substance to a person who the physician has never personally physically examined and diagnosed, except in accordance with the following requirements:

(1) The physician is providing care in consultation with another physician who has an ongoing professional relationship with the patient, and who has agreed to supervise the patient's use of the drug or drugs to be provided; and

(2) The physician's care of the patient meets all applicable standards of care and all applicable statutory and regulatory requirements.

...  
(H) A violation of any provision of this rule, as determined by the board, shall constitute "failure to maintain minimal standards applicable to the selection or administration of drugs," as that clause is used in division (B)(2) of section 4731.22 of the Revised Code; "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in division (B)(3) of section 4731.22 of the Revised Code; and "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.

A "dangerous drug" as used in section 4731-11-09 includes drugs requiring a prescription under federal law. Ohio Revised Code § 4729.01(F). With respect to stimulant drugs used for weight loss, which constituted a large percentage of controlled substances prescribed and sold by the Affpower enterprise and defendant Subramanya K. Prasad, M.D., Ohio law provided, in relevant part, as follows:

**4731-11-04 Controlled substances: utilization for weight reduction**

(A) A physician shall not utilize a Schedule III or IV Controlled Substance for purposes of weight reduction unless it has an F.D.A. approved indication for this purpose and then only in accordance with all of the provisions of this rule.

(B) Before initiating treatment for weight reduction utilizing any Schedule III or IV Controlled Substance:

(1) The physician shall determine through review of the physician's own records of prior treatment, or through review of the records of prior treatment which another treating physician or weight-loss program has provided to the physician, that the patient has made a substantial good-faith effort to lose weight in a treatment program utilizing a regimen of weight reduction based on caloric restriction, nutritional counseling, behavior modification, and exercise, without the utilization of controlled substances, and that said treatment has been ineffective.

(2) The physician shall obtain a thorough history, perform a thorough physical examination of the patient, determine that the patient has a BMI of at least thirty, or at least twenty-seven with comorbid factors, and rule out the existence of any recognized contraindications to the use of the controlled substance to be utilized.

(3) The physician shall assess and document the patient's freedom from signs of drug or alcohol abuse, and the presence or absence of contraindications and adverse side effects.

(C) A physician may utilize a Schedule III or IV Controlled Substance, that bears appropriate F.D.A. approved labeling for weight loss or the maintenance of weight loss, in the treatment of obesity only as an adjunct, in a regimen of weight reduction based on caloric restriction, provided that:

(1) The physician shall personally meet face-to-face with the patient, at a minimum, every thirty (30) days when controlled substances are being utilized for weight reduction, and shall record in the patient record information demonstrating the patient's continuing efforts to lose weight, the patient's dedication to the treatment program and response to treatment, and the presence or absence of contraindications, adverse effects, and indicators of possible substance abuse that would necessitate cessation [of] treatment utilizing controlled substances.

(2) The controlled substance is prescribed strictly in accordance with the F.D.A. approved labeling;

(a) If the F.D.A. approved labeling of the controlled substance being utilized for weight loss states that it is indicated for use for "a few weeks," the total course of treatment using that controlled substance shall not exceed twelve weeks. That time period includes any interruption in treatment that may be permitted under paragraph (C)(3) of this rule; and

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1 (b) If the F.D.A. approved labeling of the controlled substance being  
2 utilized for weight loss states that it is indicated for use for  
3 maintenance of weight loss, that use cannot exceed the time period  
4 indicated as effective as reported in the clinical studies' information  
5 contained in the F.D.A. approved labeling. That time period includes  
6 any interruption in treatment permitted under paragraph (C)(3) of this  
7 rule.

8 (3) A physician shall not initiate a course of treatment utilizing a controlled  
9 substance for purposes of weight reduction if the patient has received any  
10 controlled substance for purposes of weight reduction within the past six  
11 months. However, the physician may resume utilizing a controlled substance  
12 following an interruption of treatment of more than seven days if the  
13 interruption resulted from one or more of the following:

14 (a) Illness of or injury to the patient justifying a temporary cessation  
15 of treatment; or

16 (b) Unavailability of the physician; or

17 (c) Unavailability of the patient, if the patient has notified the  
18 physician of the cause of the patient's unavailability; or

19 (d) If the physician utilizes a controlled substance that bears F.D.A.  
20 approved labeling for "weight loss and the maintenance of that weight  
21 loss" and based on sound medical judgment believes that an  
22 interruption of that treatment was medically indicated so long as its  
23 use is in accordance with paragraph (C) of this rule.

24 (4) After initiating treatment, the physician may elect to switch to a different  
25 controlled substance for weight loss based on sound medical judgment, but  
26 the total course of treatment for any combination of controlled substances  
27 each of which is indicated for "a few weeks" shall not exceed twelve weeks.

28 (5) If the patient has continued to lose weight under the short term treatment,  
the physician may continue therapy utilizing a controlled substance that bears  
F.D.A. approved labeling for "weight loss and the maintenance of that weight  
loss" so long as its use is in accordance with paragraph (C) of this rule.

(6) The physician shall not initiate or shall discontinue utilizing all controlled  
substances for purposes of weight reduction immediately upon ascertaining  
or having reason to believe:

(a) That the patient has a history of or shows a propensity for alcohol  
or drug abuse, or has made any false or misleading statement to the  
physician relating to the patient's use of drugs or alcohol; or

(b) That the patient has consumed or disposed of any controlled  
substance other than in strict compliance with the treating physician's  
directions.

(7) The physician shall not initiate or shall discontinue utilizing all  
Schedule III or IV Controlled Substances that do not bear F.D.A. approved

1 labeling which permits long-term use immediately upon ascertaining or  
2 having reason to believe:

3 (a) That the patient has failed to lose weight while under treatment  
4 with a controlled substance or controlled substances over a period of  
5 thirty days during the current course of treatment, which  
6 determination shall be made by weighing the patient at least every  
7 thirtieth day, except that a patient who has never before received  
8 treatment for obesity utilizing any controlled substance who fails to  
9 lose weight during the first thirty days of the first such treatment  
10 attempt may be treated for an additional thirty days; or

11 (b) That the patient has repeatedly failed to comply with the  
12 physician's treatment recommendations.

13 (8) The physician shall not utilize any Schedule III or IV Controlled  
14 Substance for purposes of weight reduction in the treatment of a patient the  
15 physician knows or should know is pregnant.

16 (D) a violation of any provision of this rule, as determined by the board, shall  
17 constitute "failure to maintain minimal standards applicable to the selection or  
18 administration of drugs," as that clause is used in division (B)(2) of section 4731.22  
19 of the Revised Code; "selling, giving away, personally furnishing, prescribing, or  
20 administering drugs for other than legal and legitimate therapeutic purposes," as that  
21 clause is used in division (B)(3) of section 4731.22 of the Revised Code; and "a  
22 departure from, or the failure to conform to, minimal standards of care of similar  
23 practitioners under the same or similar circumstances, whether or not actual injury  
24 to a patient is established," as that clause is used in division (B)(6) of section 4731.22  
25 of the Revised Code.

26 d. Massachusetts

27 Defendant GERALD C. MORRIS, M.D., resided and was licensed to practice medicine in  
28 the State of Massachusetts. Massachusetts General Laws, Chapter 94C, Section 19(a), required that  
a prescription, in order to be valid, must be issued by a physician "in the usual course of his  
professional practice." In light of that requirement, the Massachusetts Board of Registration in  
Medicine adopted Policy 03-06 regarding Internet prescribing, which provided as follows:

This statutory language sets forth the minimum requirements that must be met in order for  
a prescription to be valid in the Commonwealth. To satisfy the requirement that a  
prescription be issued by a practitioner in the usual course of his professional practice, there  
must be a physician-patient relationship that is for the purpose of maintaining the patient's  
well-being and the physician must conform to certain minimum norms and standards for the  
care of patients, such as taking an adequate medical history and conducting an appropriate  
physical and/or mental status examination and recording the results. Issuance of a  
prescription, by any means, including the internet or other electronic process, that does not  
meet these requirements is therefore unlawful.

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12. An example of some state laws and regulations that prohibited licensed pharmacists or operators of licensed pharmacies from distributing or dispensing controlled substances when they had knowledge, or reason to know, that prescriptions for the controlled substances had been issued solely upon online health questionnaires like that used by the Affpower enterprise included:

a. Colorado

Defendants DOLORES LOVIN and MARY ARONSON resided and were licensed to practice pharmacy in the State of Colorado. These defendants also owned, operated, and worked as pharmacists in St. Vrain Pharmacy, located and licensed in the State of Colorado. The Code of Colorado Regulations at 3 CCR 719-1, Subdocument 3.00.21, provided:

A pharmacist shall make every reasonable effort to ensure that any order, regardless of the means of transmission, has been issued for a legitimate medical purpose by an authorized practitioner. A pharmacist shall not dispense a prescription drug if the pharmacist knows or should have known that the order for such drug was issued on the basis of an internet-based questionnaire, an internet-based consultation, or a telephonic consultation, all without a valid preexisting patient-practitioner relationship.

b. Florida

Defendant CLAUDE COVINO resided in the State of Florida and operated Saveon RX Pharmacy, also located in the State of Florida. The State of Florida required pharmacies within that State to obtain a state license before they could operate. F.S.A. § 456.037. Under Florida Statutes Annotated, Sections 456.072 and 465.016(1)(s), grounds for disciplinary action against pharmacies included:

Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined by s. 465.003(14) or s. 893.02(20) when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship.

13. The Affpower enterprise sold large quantities of controlled and non-controlled prescription drugs to customers located in the State of California. Prescription drugs under California Business and Professions Code, Section 4022, were defined as "dangerous drugs." With respect to such "dangerous drugs," California law provided, in relevant part:



**California Business and Professions Code, Section 2242(a):**

(a) Prescribing, dispensing, or furnishing dangerous drugs ... without a good faith prior examination and medical indication therefor, constitutes unprofessional conduct.

**California Business and Professions Code, Section 2242.1(a):**

No person or entity may prescribe, dispense, or furnish, or cause to be prescribed, dispensed, or furnished, dangerous drugs ... on the Internet for delivery to any person in this state, without a good faith prior examination and medical indication therefor....

**California Business and Professions Code, Section 4067:**

(a) No person or entity shall dispense or furnish, or cause to be dispensed or furnished, dangerous drugs ... on the Internet for delivery to any person in this state without a prescription issued pursuant to a good faith prior examination of a human or animal for whom the prescription is meant if the person or entity either knew or reasonably should have known that the prescription was not issued pursuant to a good faith prior examination of a human or animal, or if the person or entity did not act in accordance with Section 1761 of Title 16 of the California Code of Regulations.

...

(f) For the purposes of this section, "good faith prior examination" includes the requirements for a physician and surgeon in Section 2242 ....

**California Health and Safety Code, Section 11153:**

(a) A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. Except as authorized by this division, the following are not legal prescriptions: (1) an order purporting to be a prescription which is issued not in the usual course of professional treatment or in legitimate and authorized research; or (2) an order for an addict or habitual user of controlled substances, which is issued not in the course of professional treatment or as part of an authorized narcotic treatment program, for the purpose of providing the user with controlled substances, sufficient to keep him or her comfortable by maintaining customary use.

**Count 1**

(Conspiracy to Commit Racketeering Activity)

14. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

15. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known and unknown to the grand jury, being persons employed by and associated with an enterprise that engaged in, and the activities of which affected, interstate commerce, namely, the Affpower enterprise, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of multiple acts which are indictable under Title 18, United States Code, Sections 1341 (mail fraud) and 1343 (wire fraud); and Title 18, United States Code, Section 1956 (money laundering); and multiple acts involving the felonious selling of and dealing in controlled substances in violation of Title 21, United States Code, Sections 841 and 846.

It was a further part of the conspiracy that the defendants agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

All in violation of Title 18, United States Code, Section 1962(d).

### **Count 2**

(Racketeering Activity)

16. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

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**The Racketeering Offense**

17. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELTON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, being persons employed by and associated with an enterprise that engaged in, and the activities of which affected, interstate commerce, namely, the Affpower enterprise, knowingly and intentionally did conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), and as set forth below.

**The Pattern of Racketeering Activity**

18. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

**Racketeering Act 1**

**Conspiracy to Distribute Controlled Substances**

19. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELTON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON,

1 together, and with other persons known and unknown to the grand jury, knowingly and intentionally  
 2 conspired to commit the following offenses against the United States:

3 a. knowingly and intentionally to distribute and dispense Schedule III Controlled  
 4 Substances, including, but not limited to, quantities of benzphetamine, Didrex®, phendimetrazine,  
 5 Bontril®, and Adipost®, other than for a legitimate medical purpose and not in the usual course of  
 6 professional practice, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(D),  
 7 and Title 21, Code of Federal Regulations, Section 1306.04(a);

8 b. knowingly and intentionally to distribute and dispense Schedule IV Controlled  
 9 Substances, including, but not limited to, quantities of diethylpropion, Tenuate®, phentermine,  
 10 Adipex-P®, sibutramine, Meridia®; zaleplon, Sonata®, zolpidem tartrate, and Ambien®, other than  
 11 for a legitimate medical purpose and not in the usual course of professional practice, in violation of  
 12 Title 21, United States Code, Sections 841(a)(1), 841(b)(2), and Title 21, Code of Federal  
 13 Regulations, Section 1306.04(a); and

14 c. knowingly and intentionally to use a communication facility in committing  
 15 and in causing and facilitating the commission of the distribution and dispensing of Schedule III and  
 16 Schedule IV Controlled Substances other than for a legitimate medical purpose and not in the usual  
 17 course of professional practice, in violation of Title 21, United States Code, Sections 841(a)(1),  
 18 841(b)(1)(D), 841(b)(2), and 843(b), and Title 21, Code of Federal Regulations, Section 1306.04(a).

19 All in violation of Title 21, United States Code, Section 846.

20 Racketeering Act 2

21 Conspiracy to Commit Money Laundering

22  
 23 20. From in or about August 2004 through in or about June 2006, both dates being  
 24 approximate and inclusive, within the Southern District of California and elsewhere, the defendants  
 25 MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL,  
 26 aka "Sonny Gallo," CLAUDE COVINO, DAVID ELDON FISHER, RICHARD EDWARD KOCH,  
 27 PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER,  
 28

1 PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and  
2 with other persons known and unknown to the grand jury, knowingly and intentionally conspired to  
3 commit the following offenses against the United States:

4 a. to conduct financial transactions affecting interstate and foreign commerce  
5 which involved the proceeds of specified unlawful activity, that is, (1) the distribution and  
6 dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of  
7 Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18,  
8 United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code,  
9 Section 1341, knowing both that the property involved in the financial transactions represents the  
10 proceeds of some form of unlawful activity and that the transactions are designed in whole or in part  
11 to conceal and disguise the nature, location, source, ownership and control of the proceeds of such  
12 specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);  
13 and

14 b. to transport, transmit, and transfer funds from a place in the United States to  
15 and through a place outside the United States, and to a place in the United States from and through  
16 a place outside the United States, knowing that the funds involved in the transportation,  
17 transmission, and transfer represent the proceeds of some form of unlawful activity and knowing that  
18 such transportation, transmission, and transfer is designed in whole or in part to conceal and disguise  
19 the nature, location, source, ownership, and control of the proceeds of specified unlawful activity,  
20 that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled  
21 substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud,  
22 in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of  
23 Title 18, United States Code, Section 1341, in violation of Title 18, United States Code,  
24 Section 1956(a)(2)(B)(i).

25 All in violation of Title 18, United States Code, Section 1956(h).

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Racketeering Acts 3 - 77Distribution and Dispensing of Controlled Substances

21. On or about the dates alleged below, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, knowingly and intentionally distributed and dispensed quantities of Schedule III and Schedule IV Controlled Substances, as alleged below, other than for a legitimate medical purpose and not in the usual course of professional practice, each such instance constituting a separate Racketeering Act:

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
3	7/19/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.S." in Solana Beach, CA
4	8/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.L." in San Diego, CA
5	8/18/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.W." in El Cajon, CA
6	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.C." in Oceanside, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
7	10/12/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.W." in Carlsbad, CA
8	10/17/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"P.P." in San Diego, CA
9	10/19/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"S.D." in San Diego, CA
10	11/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"D.S." in San Diego, CA
11	11/10/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"P.G." in San Diego, CA
12	11/21/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.H." in San Marcos, CA
13	12/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.T." in Poway, CA
14	2/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"D.M." in San Diego, CA



Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
15	2/7/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"R.O." in Oceanside, CA
16	2/24/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.B." In San Diego, CA
17	2/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"E.C." in San Diego, CA
18	3/7/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"L.M." in Encinitas, CA
19	3/8/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Diethylpropion Tablets (75mg)	IV	"L.B." in Ramona, CA
20	3/29/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Oceanside, CA
21	4/4/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"J.S." in Olympia, WA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
22	4/5/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"D.F." in Topeka, KS
23	4/10/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	IV	"B.K." in San Marcos, CA
24	4/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"L.C." in Lakeside, CA
25	4/19/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"T.C." in Crawfordsville, IN
26	4/20/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.G." in Carlsbad, CA
27	4/21/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.C." in Escondido, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
28	4/24/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"R.K." in Chula Vista, CA
29	4/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA
30	4/27/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"J.G." in Oklahoma City, OK
31	5/3/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.H." in Chula Vista, CA
32	5/4/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.H." in San Diego, CA
33	5/8/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.P." in San Diego, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
34	5/10/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"T.A." in San Diego, CA
35	5/11/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"O.F." in Chelsea, MA
36	5/18/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.S." in Chula Vista, CA
37	5/19/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.A." in San Diego, CA
38	5/22/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"T.B." in Cockeysville, MD

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
39	5/23/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.T." in El Cajon, CA
40	5/23/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.M." in El Cajon, CA
41	5/24/06	MARK ANTHONY HEREDIA DAVID ELTON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.F." in Vista, CA
42	5/24/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"M.V." in Watertown, MA
43	5/25/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.F." in Escondido, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
44	5/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.D." in San Diego, CA
45	5/26/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"E.A." in San Diego, CA
46	5/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"N.M." in San Diego, CA
47	5/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.S." in Alpine, CA
48	5/26/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"S.J." in Eldorado, IL
49	5/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.D." in Vista, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
50	5/31/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	III	"A.M." in Chelsea, MA
51	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.L." in Valley Center, CA
52	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Carlsbad, CA
53	6/2/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Santee, CA
54	6/2/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.V." in Chula Vista, CA
55	6/2/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.P." in San Diego, CA



Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
56	6/7/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA
57	6/7/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"A.C." in San Diego, CA
58	6/7/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Oceanside, CA
59	6/5/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	III	"J.M." in Livermore, CA
60	6/12/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.R." in San Diego, CA
61	6/12/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.D." in Bonita, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
62	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.M." in Oceanside, CA
63	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.S." in San Diego, CA
64	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"D.C." in San Diego, CA
65	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.F." in San Marcos, CA
66	6/15/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.P." in Lemon Grove, CA
67	6/16/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.S." in San Diego, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
68	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"D.L." in Fallbrook, CA
69	6/20/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.V." in Chula Vista, CA
70	6/20/06	MARK ANTHONY HEREDIA HENRIKO CHUNG GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	60 Phendimetrazine (35mg)	III	"R.L." in Tulsa, OK
71	6/28/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"S.S." in White Plains, NY
72	6/29/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.W." in Carlsbad, CA
73	1/27/06	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Phentermine Tablets (37.5mg)	IV	"M.K." in Escondido, CA
74	2/27/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA	90 Phendimetrazine (105mg)	III	"K.S." in Oceanside, CA

Act	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
75	4/4/06	MARK ANTHONY HEREDIA CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"J.C." in Carlsbad, CA
76	6/9/06	MARK ANTHONY HEREDIA WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.W." in Carlsbad, CA
77	6/20/06	MARK ANTHONY HEREDIA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	III	"E.A." in San Diego, CA

All in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(D), and 841(b)(2); Title 18, United States Code, Section 2; and Title 21, Code of Federal Regulations, Section 1306.04(a).

Racketeering Acts 78 - 107

Wire Fraud

22. On or about the dates alleged below, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, having devised and intending to devise a scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, knowingly and intentionally transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce writings, signs, signals, pictures, and sounds,

namely, customer orders for prescription pharmaceuticals made over the Internet through Affpower enterprise affiliate and merchant websites as described in paragraphs 1 through 13 above, and as set forth below, for the purpose of executing such scheme and artifice, each such order constituting a separate Racketeering Act:

Act	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
78	8/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL	60 Ambien Tablets (10mg)	"S.V." in La Jolla, CA
79	8/10/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Carisoprodol Pills (generic Soma®) (350mg)	"L.R." in Escondido, CA
80	8/10/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL	90 Phentermine Tablets (30mg)	"M.D." in San Diego, CA
81	8/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL NATHAN JACOBSON	90 Tramadol Tablets (50mg)	"C.M." in Vista, CA
82	8/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL	90 Phentermine Tablets (30mg)	"R.N." in Oceanside, CA
83	8/25/05	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Wellbutrin SR® (150mg)	"P.H." in Poway, CA
84	9/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL	90 Carisoprodol Pills (generic Soma®) (350mg)	"F.H." in San Diego, CA
85	12/1/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Carisoprodol Pills (generic Soma®) (350mg)	"J.K." in Carlsbad, CA

Act	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
86	12/15/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Carisoprodol Pills (generic Soma®) (350mg)	"E.D." in Hudson, MA
87	1/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL CLAUDE COVINO	90 Carisoprodol Pills (generic Soma®) (350mg)	"S.B." in El Cajon, CA
88	2/15/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	"R.G." in Morgantown, WV
89	3/1/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL NATHAN JACOBSON	90 Bupropion HCL (generic Wellbutrin®) (100mg)	"R.A." in San Diego, CA
90	3/29/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER WILLIAM POLK HARRINGTON	30 Zoloft Pills (100mg)	"J.R." in Brevard, NC
91	4/18/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Fluoxetine Pills (generic Prozac®) (20mg)	"R.B." in Granada Hills, CA
92	4/21/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"D.F." in Escondido, CA

Act	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
93	4/23/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	"P.R." in West Columbia, SC
94	4/24/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	"L.B." in Detroit, MI
95	5/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"V.C." in San Diego, CA
96	5/4/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL CHANDRESH B. SHAH WILLIAM POLK HARRINGTON NATHAN JACOBSON	30 Effexor Pills (100mg)	"J.V." in Rockville, MD
97	5/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"K.M." in Santee, CA
98	5/19/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	"A.P." in Forney, TX



Act	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
99	5/22/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"A.R." in Oceanside, CA
100	5/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM POLK HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"H.M." in Poway, CA
101	5/22/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"S.W." in Oceanside, CA
102	6/23/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.O." in San Diego, CA
103	6/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"D.R." in San Diego, CA
104	9/11/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"L.C." in Oceanside, CA
105	1/30/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Phentermine Tablets (37.5mg)	"D.S." in San Diego, CA
106	2/10/06	MARK ANTHONY HEREDIA TODD WURTZEL NATHAN JACOBSON	10 Viagra Tablets (100mg)	"A.G." in Oceanside, CA

Act	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
107	6/4/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Fluoxetine Pills (generic Prozac®) (20mg)	"M.H." in Anna, OH

All in violation of Title 18, United States Code, Sections 1343 and 2.

Racketeering Acts 108 - 121

Mail Fraud

23. On or about the dates alleged below, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, having devised and intending to devise a scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, knowingly and intentionally deposited and caused to be deposited packages containing quantities of prescription pharmaceuticals to be sent and delivered by Federal Express, a private and commercial interstate carrier, and knowingly and intentionally caused those packages to be delivered by Federal Express according to the directions on the packages, and at the places at which the packages were directed to be delivered by the persons to whom the packages were addressed, as described in paragraphs 1 through 13 above, and as set forth below, for the purpose of executing such scheme and artifice and attempting to do so, each shipment constituting a separate Racketeering Act:

Act	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
108	6/28/05	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	90 Fluoxetine Pills (generic Prozac®) (20mg)	Saveon RX Florida	"K.K." in Chula Vista, CA
109	5/12/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	Saveon RX Florida	"K.C." in El Toro, CA
110	5/12/06	MARK ANTHONY HEREDIA HENRIKO CHUNG GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	Saveon RX Florida	"P.W." in New Boston, MI
111	5/15/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	Saveon RX Florida	"D.G." in New Haven, MI
112	5/23/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Viagra® Tablets (100mg)	Saveon RX Florida	"R.C." in Escondido, CA

Act	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
113	5/30/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	Saveon RX Florida	"D.M." in Chula Vista, CA
114	5/30/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Fluoxetine Pills (generic Prozac®) (20mg)	Saveon RX Florida	"K.B." in St. Petersburg, FL
115	5/31/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	Saveon RX Florida	"K.M." in Pearland, TX
116	5/31/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Fluoxetine Pills (generic Prozac®) (20mg)	Saveon RX Florida	"J.K." in Foothill Ranch, CA
117	6/2/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"M.B." in Escondido, CA

Act	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
118	6/5/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"S.B." in San Diego, CA
119	6/9/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	30 Ambien Tablets (10mg)	Saveon RX Florida	"G.S." in San Marcos, CA
120	6/20/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phendimetrazine (105mg)	Saveon RX Florida	"J.C." in Simi Valley, CA
121	6/21/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	30 Cyclobenzaprine Pills (10mg)	Saveon RX Florida	"D.L." in Fallbrook, CA

All in violation of Title 18, United States Code, Sections 1341 and 2.

Racketeering Acts 122 - 126

Money Laundering

24. On or about the dates alleged below the defendants MARK ANTHONY HEREDIA, and WILLIAM POLK HARRINGTON transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was

designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

Act	Date	Amount	Financial Transaction
122	2/9/06	\$8,877.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of The Direct Meds, Seminole, FL
123	3/9/06	\$31,545.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of The Direct Meds, Seminole, FL
124	4/18/06	\$74,613.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of The Direct Meds, Seminole, FL
125	5/22/06	\$55,828.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wachovia Bank Account of The Direct Meds, Seminole, FL
126	6/26/06	\$40,204.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wachovia Bank Account of Direct Meds, Inc., Seminole, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

#### Racketeering Acts 127 - 131

##### Money Laundering

25. On or about the dates alleged below the defendants MARK ANTHONY HEREDIA, and TODD WURTZEL, aka "Sonny Gallo," transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of

Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

Act	Date	Amount	Financial Transaction
127	09/02/05	\$16,218.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wachovia Bank Account of Todd Wurtzel, Coral Gables, FL
128	12/21/05	\$48,127.50	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Net Exchange, Inc., Coral Springs, FL
129	01/13/06	\$56,823.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Net Exchange, Inc., Coral Springs, FL
130	03/09/06	\$36,183.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Net Exchange, Inc., Coral Springs, FL
131	06/13/06	\$2,968.25	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wachovia Bank Account of Todd Wurtzel, Coral Gables, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

#### Racketeering Acts 132 - 143

##### Money Laundering

26. On or about the dates alleged below the defendants MARK ANTHONY HEREDIA, and CLAUDE COVINO, transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:



Act	Date	Amount	Financial Transactions
132	6/3/2005	\$44,970.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL
133	10/6/2005	\$49,970.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Best Diabetic Supply, Inc., Ft. Lauderdale, FL
134	12/13/2005	\$170,987.10	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL
135	12/28/2005	\$100,792.50	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Best Diabetic Supply, Inc., Ft. Lauderdale, FL
136	1/18/2006	\$182,704.10	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL
137	3/1/2006	\$77,108.58	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Best Diabetic Supply, Inc., Ft. Lauderdale, FL
138	3/7/2006	\$123,472.50	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL
139	4/6/2006	\$121,664.29	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Best Diabetic Supply, Inc., Ft. Lauderdale, FL
140	4/26/2006	\$34,969.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Cosmo Consulting, Inc., Ft. Lauderdale, FL
141	5/17/2006	\$217,334.50	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL
142	6/8/2006	\$5,355.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Cosmo Consulting, Inc., Ft. Lauderdale, FL
143	6/28/2006	\$127,596.70	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Saveon RX, Inc., Ft. Lauderdale, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

#### Racketeering Acts 144 - 149

##### Money Laundering

27. On or about the dates alleged below the defendant DAVID ELDON FISHER transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code,

Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

Act	Date	Amount	Financial Transactions
144	12/23/05	\$32,062.86	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to USAA Federal Savings Bank Account of David Fisher, San Antonio, TX
145	4/3/06	\$38,894.30	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to USAA Federal Savings Bank Account of David Fisher, San Antonio, TX
146	6/5/06	\$32,325.44	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to USAA Federal Savings Bank Account of David Fisher, San Antonio, TX
147	5/27/05	\$44,189.72	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to U.S. Bank Account of David Fisher, Bend, OR
148	10/17/05	\$40,802.22	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to U.S. Bank Account of David Fisher, Bend, OR
149	12/23/05	\$3,547.05	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to U.S. Bank Account of David Fisher, Bend, OR

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

#### Racketeering Acts 150 - 154

##### Money Laundering

28. On or about the dates alleged below the defendant RICHARD EDWARD KOCH transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

Act	Date	Amount	Financial Transactions
150	1/13/2005	\$8,293.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Richard Koch, Fontana, CA
151	5/23/2005	\$6,688.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Richard Koch, Fontana, CA
152	12/19/2005	\$54,411.95	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Richard Koch, Fontana, CA
153	3/20/2006	\$51,163.85	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Washington Mutual Account of Richard Koch, Fontana, CA
154	6/29/2006	\$20,961.25	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Richard Koch, Fontana, CA

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 155 - 159

Money Laundering

29. On or about the dates alleged below the defendant PHILIP JAMES BIDWELL transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

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Act	Date	Amount	Financial Transactions
155	11/23/04	\$8,290.62	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to State Bank & Trust Account of Convergent Marketing, Carrollton, TX
156	06/28/05	\$18,946.74	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to State Bank & Trust Account of Convergent Marketing, Carrollton, TX
157	10/24/05	\$19,803.01	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to State Bank & Trust Account of Convergent Marketing, Carrollton, TX
158	01/23/06	\$21,694.37	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to State Bank & Trust Account of Convergent Marketing, Carrollton, TX
159	06/19/06	\$34,546.50	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to State Bank & Trust Account of Convergent Marketing, Carrollton, TX

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 160 - 164

Money Laundering

30. On or about the dates alleged below the defendant HENRIKO CHUNG transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

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Act	Date	Amount	Financial Transactions
160	11/26/04	\$693.17	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Naiser, LLC, Palm Springs, FL
161	02/10/05	\$21,294.22	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Naiser, LLC, Palm Springs, FL
162	08/01/05	\$17,621.73	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Bank of America Account of Naiser, LLC, Palm Springs, FL
163	01/30/06	\$15,697.64	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Bank of America Account of Naiser, LLC, Palm Springs, FL
164	06/19/06	\$9,120.20	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Naiser, LLC, Palm Springs, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 165 - 169

Money Laundering

31. On or about the dates alleged below the defendant JEFFREY A. LIGHT transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

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Act	Date	Amount	Financial Transactions
165	11/12/04	\$11,833.26	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Community Bank Account of Cybercom Ventures, Inc., Rockwall, TX
166	05/27/05	\$52,341.46	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Community Bank Account of Cybercom Ventures, Inc., Rockwall, TX
167	10/24/05	\$30,669.34	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Community Bank Account of Cybercom Ventures, Inc., Rockwall, TX
168	03/13/06	\$29,554.50	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Community Bank Account of Cybercom Ventures, Inc., Rockwall, TX
169	06/19/06	\$26,053.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Community Bank Account of Cybercom Ventures, Inc., Rockwall, TX

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 170 - 177

Money Laundering

32. On or about the dates alleged below the defendant TRACY ONEAL TYLER transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

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Act	Date	Amount	Financial Transactions
170	2/25/05	\$2,217.35	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to American Bank of Texas Account of Jim Tyler, Horseshoe Bay, TX
171	6/21/05	\$2,027.16	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wells Fargo Bank Account of Tracy Tyler, Dallas, TX
172	10/24/05	\$16,082.17	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to American Bank of Texas Account of Jim Tyler, Horseshoe Bay, TX
173	12/19/05	\$4,906.36	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wells Fargo Bank Account of Tracy Tyler, Dallas, TX
174	2/13/06	\$10,861.69	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to American Bank of Texas Account of Jim Tyler, Horseshoe Bay, TX
175	4/3/06	\$3,100.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wells Fargo Bank Account of Tracy Tyler, Dallas, TX
176	6/5/06	\$12,651.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to American Bank of Texas Account of Jim Tyler, Horseshoe Bay, TX
177	6/26/06	\$1,817.00	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to American Bank of Texas Account of Jim Tyler, Horseshoe Bay, TX

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

#### Racketeering Acts 178 - 182

##### Money Laundering

33. On or about the dates alleged below the defendant PETER P. BRAGANSA transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:



Act	Date	Amount	Financial Transactions
178	4/28/2005	\$510.05	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Bank of America Account of Internet Marketing, Ft. Lauderdale, FL
179	9/20/05	\$22,407.91	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Internet Marketing, Hollywood, FL
180	11/28/05	\$48,851.24	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Internet Marketing, Hollywood, FL
181	3/13/06	\$62,725.86	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Wachovia Bank Account of Internet Marketing, Hollywood, FL
182	6/19/06	\$63,579.11	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Wachovia Bank Account of Internet Marketing, Hollywood, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 183 - 189

Money Laundering

34. On or about the dates alleged below the defendant BESSIE K. RICOARANGO transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, as set forth below, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, each transfer constituting a separate Racketeering Act:

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Act	Date	Amount	Financial Transactions
183	12/23/04	\$594.00	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
184	05/27/05	\$3,770.76	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
185	09/06/05	\$4,578.09	Wire Transfer from Cyprus Popular Bank, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
186	12/19/05	\$12,940.71	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
187	01/23/06	\$9,510.12	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
188	03/13/06	\$5,263.98	Wire Transfer from Bank of Cyprus, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL
189	06/29/06	\$1,205.50	Wire Transfer from Barclays Bank, Nicosia, Cyprus, to Washington Mutual Account of Hundred Monkeys, Inc., Pembroke Pines, FL

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2.

Racketeering Acts 190 - 198

Money Laundering

35. On or about the dates alleged below, and in the commission of each financial transaction alleged below, the defendant NATHAN JACOBSON committed the following two offenses which are indictable under Title 18, United States Code, Section 1956:

(i) transported, transmitted, and transferred funds to a place in the United States from and through a place outside the United States, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States

Code, Section 1341, in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2; and

(ii) conducted a financial transaction affecting interstate and foreign commerce which involved the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code, Section 1341, knowing both that the property involved in the financial transaction represented the proceeds of some form of unlawful activity and that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of such specified unlawful activity, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2,

either one of which alone constitutes the commission of Racketeering Acts 190 through 198, as set forth below:

Act	Date	Amount	Financial Transactions
190	7/12/05	\$104,706.88	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from Citibank Account of Israel Discount Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
191	9/19/05	\$265,845.96	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from Israel Discount Bank of New York, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
192	11/29/05	\$351,691.89	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
193	12/27/05	\$490,816.95	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
194	2/28/06	\$454,635.44	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
195	3/29/06	\$739,179.36	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
196	5/12/06	\$432,702.01	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY

Act	Date	Amount	Financial Transactions
197	5/30/06	\$382,716.38	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY
198	6/27/06	\$157,615.53	Wire Transfer, Originating with Israel Discount Bank, Tel Aviv, Israel, from American Express Bank, New York, NY, to Citibank Account of Bank of Cyprus, New York, NY

All in violation of Title 18, United States Code, Sections 1962(c) and 2.

### Count 3

(Conspiracy to Distribute and Dispense Controlled Substances)

36. Paragraphs 1 through 13 and 21 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

37. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known and unknown to the grand jury, knowingly and intentionally conspired to commit the following offenses against the United States:

a. knowingly and intentionally to distribute and dispense Schedule III Controlled Substances, including, but not limited to, quantities of benzphetamine, Didrex®, phendimetrazine, Bontril®, and Adipost®, other than for a legitimate medical purpose and not in the usual course of professional practice, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(D), and Title 21, Code of Federal Regulations, Section 1306.04(a);

b. knowingly and intentionally to distribute and dispense Schedule IV Controlled Substances, including, but not limited to, quantities of diethylpropion, Tenuate®, phentermine,

1 Adipex-P®, sibutramine, Meridia®; zaleplon, Sonata®, zolpidem tartrate, and Ambien®, other than  
 2 for a legitimate medical purpose and not in the usual course of professional practice, in violation of  
 3 Title 21, United States Code, Sections 841(a)(1), 841(b)(2), and Title 21, Code of Federal  
 4 Regulations, Section 1306.04(a); and

5 c. knowingly and intentionally to use a communication facility in committing  
 6 and in causing and facilitating the commission of the distribution and dispensing of Schedule III and  
 7 Schedule IV Controlled Substances other than for a legitimate medical purpose and not in the usual  
 8 course of professional practice, in violation of Title 21, United States Code, Sections 841(a)(1),  
 9 841(b)(1)(D), 841(b)(2), and 843(b), and Title 21, Code of Federal Regulations, Section 1306.04(a).

10 All in violation of Title 21, United States Code, Section 846.

11 **Counts 4 - 78**

12 (Distribution and Dispensing of Controlled Substances)

13  
 14 38. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as  
 15 if fully set forth herein.

16 39. On or about the dates alleged below, within the Southern District of California and  
 17 elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON,  
 18 TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY  
 19 ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C.  
 20 MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES  
 21 BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P.  
 22 BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON knowingly and  
 23 intentionally distributed and dispensed quantities of Schedule III and Schedule IV Controlled  
 24 Substances, as alleged below, other than for a legitimate medical purpose and not in the usual course  
 25 of professional practice, each such instance constituting a separate Count:

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
4	7/19/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.S." in Solana Beach, CA
5	8/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.L." in San Diego, CA
6	8/18/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.W." in El Cajon, CA
7	8/19/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER NATHAN JACOBSON	90 Didrex Tablets (50mg)	III	"J.D." in La Jolla, CA
8	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.C." in Oceanside, CA
9	9/13/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL	90 Ambien Tablets (10mg)	IV	"B.R." in San Diego, CA
10	10/12/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.W." in Carlsbad, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
11	10/17/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"P.P." in San Diego, CA
12	10/19/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"S.D." in San Diego, CA
13	11/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"D.S." in San Diego, CA
14	11/10/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"P.G." in San Diego, CA
15	11/21/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.H." in San Marcos, CA
16	12/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.T." in Poway, CA
17	2/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"D.M." in San Diego, CA



Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
18	2/7/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"R.O." in Oceanside, CA
19	2/24/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.B." In San Diego, CA
20	2/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"E.C." in San Diego, CA
21	3/7/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"L.M." in Encinitas, CA
22	3/8/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Diethylpropion Tablets (75mg)	IV	"L.B." in Ramona, CA
23	3/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"G.N." in Cardiff by the Sea, CA
24	3/29/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Oceanside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
25	4/10/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	IV	"B.K." in San Marcos, CA
26	4/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"L.C." in Lakeside, CA
27	4/20/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.G." in Carlsbad, CA
28	4/21/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.C." in Escondido, CA
29	4/24/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"R.K." in Chula Vista, CA
30	4/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
31	5/3/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.H." in Chula Vista, CA
32	5/4/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.H." in San Diego, CA
33	5/8/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.P." in San Diego, CA
34	5/10/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"T.A." in San Diego, CA
35	5/12/06	MARK ANTHONY HEREDIA CHANDRESH B. SHAH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON	30 Ambien Tablets (10mg)	IV	"P.C." in San Diego, CA
36	5/18/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.S." in Chula Vista, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
37	5/19/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.A." in San Diego, CA
38	5/23/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.T." in El Cajon, CA
39	5/23/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.M." in El Cajon, CA
40	5/24/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.F." in Vista, CA
41	5/25/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.F." in Escondido, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
42	5/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.D." in San Diego, CA
43	5/26/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"E.A." in San Diego, CA
44	5/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"N.M." in San Diego, CA
45	5/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.S." in Alpine, CA
46	5/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.D." in Vista, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
47	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.L." in Valley Center, CA
48	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Carlsbad, CA
49	6/2/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Santee, CA
50	6/2/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.V." in Chula Vista, CA
51	6/2/06	MARK ANTHONY HEREDIA DAVID ELTON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.P." in San Diego, CA
52	6/7/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
53	6/7/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"A.C." in San Diego, CA
54	6/7/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Oceanside, CA
55	6/9/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"G.S." in San Marcos, CA
56	6/12/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.R." in San Diego, CA
57	6/12/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.D." in Bonita, CA
58	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.M." in Oceanside, CA



Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
59	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.S." in San Diego, CA
60	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"D.C." in San Diego, CA
61	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.F." in San Marcos, CA
62	6/15/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.P." in Lemon Grove, CA
63	6/16/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.S." in San Diego, CA
64	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"D.L." in Fallbrook, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
65	6/20/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.V." in Chula Vista, CA
66	6/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.O." in San Diego, CA
67	6/27/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"D.R." in San Diego, CA
68	6/28/06	MARK ANTHONY HEREDIA WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	IV	"S.A." in Spring Valley, CA
69	6/29/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.W." in Carlsbad, CA
70	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.C." in Oceanside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
71	1/27/06	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Phentermine Tablets (37.5mg)	IV	"M.K." in Escondido, CA
72	1/31/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Phentermine Tablets (37.5mg)	IV	"D.S." in San Diego, CA
73	2/27/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA	90 Phendimetrazine (105mg)	III	"K.S." in Oceanside, CA
74	4/4/06	MARK ANTHONY HEREDIA CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"J.C." in Carlsbad, CA
75	6/2/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.B." in Escondido, CA
76	6/5/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.B." in San Diego, CA
77	6/9/06	MARK ANTHONY HEREDIA WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.W." in Carlsbad, CA
78	6/20/06	MARK ANTHONY HEREDIA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	III	"E.A." in San Diego, CA

1 All in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(D), and 841(b)(2);  
2 Title 18, United States Code, Section 2; and Title 21, Code of Federal Regulations,  
3 Section 1306.04(a).

4 **Count 79**

5 (Conspiracy to Commit Wire Fraud)

6 40. Paragraphs 1 through 13 and 22 of this Indictment are hereby realleged and  
7 incorporated as if fully set forth herein.

8 41. From in or about August 2004 through in or about June 2006, both dates being  
9 approximate and inclusive, within the Southern District of California and elsewhere, the defendants  
10 MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL,  
11 aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON,  
12 SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS,  
13 M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL,  
14 HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA,  
15 BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known  
16 and unknown to the grand jury, having devised and intending to devise a scheme and artifice to  
17 defraud, and to obtain money by means of materially false and fraudulent pretenses, representations,  
18 and promises, knowingly and intentionally conspired to transmit and to cause to be transmitted by  
19 means of wire communication in interstate and foreign commerce writings, signs, signals, pictures,  
20 and sounds, namely, customer orders for prescription pharmaceuticals made over the Internet through  
21 Affpower enterprise affiliate and merchant websites as described in paragraphs 1 through 13 above,  
22 for the purpose of executing such scheme and artifice.

23 All in violation of Title 18, United States Code, Section 1349.

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**Counts 80 - 172**

(Wire Fraud)

42. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

43. On or about the dates alleged below, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, having devised and intending to devise a scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, knowingly and intentionally transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce writings, signs, signals, pictures, and sounds, namely, customer orders for prescription pharmaceuticals made over the Internet through Affpower enterprise affiliate and merchant websites as described in paragraphs 1 through 13 above, and as set forth below, for the purpose of executing such scheme and artifice, each such order constituting a separate Count:

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
80	4/4/05	MARK ANTHONY HEREDIA HENRIKO CHUNG NATHAN JACOBSON	90 Wellbutrin SR® (150mg)	"T.S." in La Jolla, CA
81	6/27/05	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	90 Fluoxetine Pills (generic Prozac®) (20mg)	"K.K." in Chula Vista, CA
82	7/14/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO	30 Phentermine Tablets (37.5mg)	"A.W." in Santee, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
83	7/17/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"L.S." in Solana Beach, CA
84	8/5/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"M.G." in San Diego, CA
85	8/10/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Carisoprodol Pills (generic Soma®) (350mg)	"L.R." in Escondido, CA
86	8/10/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL	90 Phentermine Tablets (30mg)	"M.D." in San Diego, CA
87	8/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Tramadol Tablets (50mg)	"C.M." in Vista, CA
88	8/12/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"L.L." in San Diego, CA
89	8/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL	90 Phentermine Tablets (30mg)	"R.N." in Oceanside, CA
90	8/17/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	"L.W." in El Cajon, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
91	8/18/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER NATHAN JACOBSON	90 Didrex Tablets (50mg)	"J.D." in La Jolla, CA
92	8/25/05	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Wellbutrin SR® (150mg)	"P.H." in Poway, CA
93	9/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL	90 Carisoprodol Pills (generic Soma®) (350mg)	"F.H." in San Diego, CA
94	9/11/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"L.C." in Oceanside, CA
95	9/12/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL	90 Ambien Tablets (10mg)	"B.R." in San Diego, CA
96	9/20/05	MARK ANTHONY HEREDIA TODD WURTZEL DOLORES LOVIN MARY ARONSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"C.T." in San Diego, CA
97	10/11/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"D.W." in Carlsbad, CA
98	10/15/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	30 Ambien Tablets (10mg)	"P.P." in San Diego, CA



Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
99	10/12/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	"S.D." in San Diego, CA
100	11/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	"D.S." in San Diego, CA
101	11/7/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	"P.G." in San Diego, CA
102	11/21/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	"L.H." in San Marcos, CA
103	12/1/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Carisoprodol Pills (generic Soma®) (350mg)	"J.K." in Carlsbad, CA
104	12/13/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"C.T." in Poway, CA
105	1/27/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	"D.M." in San Diego, CA
106	2/6/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	"R.O." in Oceanside, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
107	2/18/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.B." In San Diego, CA
108	2/21/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	"E.C." in San Diego, CA
109	3/1/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL NATHAN JACOBSON	90 Bupropion HCL (generic Wellbutrin®) (100mg)	"R.A." in San Diego, CA
110	3/3/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	"L.M." in Encinitas, CA
111	3/6/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Diethylpropion Tablets (75mg)	"L.B." in Ramona, CA
112	3/24/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM POLK HARRINGTON	90 Phentermine Tablets (37.5mg)	"G.N." in Cardiff by the Sea, CA
113	3/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON	90 Phentermine Tablets (37.5mg)	"C.S." in Oceanside, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
114	4/9/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	"B.K." in San Marcos, CA
115	4/4/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	"L.C." in Lakeside, CA
116	3/31/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"H.G." in Carlsbad, CA
117	4/6/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"D.C." in Escondido, CA
118	4/21/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"D.F." in Escondido, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
119	4/19/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	60 Phentermine Tablets (30mg)	"R.K." in Chula Vista, CA
120	4/19/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	"C.L." in Lakeside, CA
121	4/18/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"B.H." in Chula Vista, CA
122	4/26/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"A.H." in San Diego, CA
123	5/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"V.C." in San Diego, CA
124	4/30/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.P." in San Diego, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
125	4/12/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"T.A." in San Diego, CA
126	5/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"K.M." in Santee, CA
127	5/8/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"B.S." in Chula Vista, CA
128	5/8/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"M.A." in San Diego, CA
129	5/22/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"A.R." in Oceanside, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
130	5/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM POLK HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"H.M." in Poway, CA
131	5/10/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"T.T." in El Cajon, CA
132	5/9/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.M." in El Cajon, CA
133	5/22/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"S.W." in Oceanside, CA
134	5/22/06	MARK ANTHONY HEREDIA DAVID ELTON FISHER CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Viagra Tablets (100mg)	"R.C." in Escondido, CA
135	5/10/06	MARK ANTHONY HEREDIA DAVID ELTON FISHER SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"K.F." in Vista, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
136	5/12/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.F." in Escondido, CA
137	5/11/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"T.D." in San Diego, CA
138	5/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"E.A." in San Diego, CA
139	5/11/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"N.M." in San Diego, CA
140	4/17/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.S." in Alpine, CA



Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
141	5/26/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	"D.M." in Chula Vista, CA
142	5/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"L.D." in Vista, CA
143	5/26/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"M.L." in Valley Center, CA
144	5/17/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"A.F." in Carlsbad, CA
145	4/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM POLK HARRINGTON	90 Phentermine Tablets (37.5mg)	"C.S." in Santee, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
146	6/1/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.V." in Chula Vista, CA
147	5/18/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"M.P." in San Diego, CA
148	6/5/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	"C.L." in Lakeside, CA
149	5/30/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON	90 Phentermine Tablets (37.5mg)	"A.C." in San Diego, CA
150	5/23/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"A.F." in Oceanside, CA
151	6/6/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	30 Ambien Tablets (10mg)	"G.S." in San Marcos, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
152	5/31/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"A.R." in San Diego, CA
153	6/1/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"H.D." in Bonita, CA
154	6/6/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"M.M." in Oceanside, CA
155	6/9/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"M.S." in San Diego, CA
156	6/9/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"D.C." in San Diego, CA
157	6/9/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"S.F." in San Marcos, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
158	6/14/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CHANDRESH B. SHAH WILLIAM POLK HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	"C.P." in Lemon Grove, CA
159	6/15/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"T.S." in San Diego, CA
160	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	"D.L." in Fallbrook, CA
161	6/19/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"S.V." in Chula Vista, CA
162	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	30 Cyclobenzaprine Pills (10mg)	"D.L." in Fallbrook, CA
163	6/23/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"J.O." in San Diego, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
164	6/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"D.R." in San Diego, CA
165	6/24/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM POLK HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"L.W." in Carlsbad, CA
166	9/11/05	MARK ANTHONY HEREDIA DAVID ELTON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	"L.C." in Oceanside, CA
167	1/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Phentermine Tablets (37.5mg)	"M.K." in Escondido, CA
168	1/30/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Phentermine Tablets (37.5mg)	"D.S." in San Diego, CA
169	2/10/06	MARK ANTHONY HEREDIA TODD WURTZEL NATHAN JACOBSON	10 Viagra Tablets (100mg)	"A.G." in Oceanside, CA
170	2/26/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA	90 Phendimetrazine (105mg)	"K.S." in Oceanside, CA
171	5/18/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"M.B." in Escondido, CA

Count	Date of Customer Order	Defendants	Ordered Drug	Customer and Delivery Location
172	5/20/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL WILLIAM POLK HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	"S.B." in San Diego, CA

All in violation of Title 18, United States Code, Sections 1343 and 2.

**Count 173**

(Conspiracy to Commit Mail Fraud)

44. Paragraphs 1 through 13 and 23 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

45. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known and unknown to the grand jury, having devised and intending to devise a scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, knowingly and intentionally conspired to deposit and to cause to be deposited packages containing quantities of prescription pharmaceuticals to be sent and delivered by Federal Express, a private and commercial interstate carrier, and to cause those packages to be delivered by Federal Express according to the directions on the packages, and at the places at which the packages were directed to be delivered by the persons to whom the packages were addressed, as described in

1 paragraphs 1 through 13 above, for the purpose of executing such scheme and artifice and attempting  
2 to do so.

3 All in violation of Title 18, United States Code, Section 1349.

4 **Counts 174 - 236**

5 (Mail Fraud)

6 46. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as  
7 if fully set forth herein.

8 47. On or about the dates alleged below, within the Southern District of California and  
9 elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON,  
10 TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY  
11 ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C.  
12 MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES  
13 BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P.  
14 BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, having devised and  
15 intending to devise a scheme and artifice to defraud, and to obtain money by means of materially  
16 false and fraudulent pretenses, representations, and promises, knowingly and intentionally deposited  
17 and caused to be deposited packages containing quantities of prescription pharmaceuticals to be sent  
18 and delivered by Federal Express, a private and commercial interstate carrier, and knowingly and  
19 intentionally caused those packages to be delivered by Federal Express according to the directions  
20 on the packages, and at the places at which the packages were directed to be delivered by the persons  
21 to whom the packages were addressed, as described in paragraphs 1 through 13 above, and as set  
22 forth below, for the purpose of executing such scheme and artifice and attempting to do so, each  
23 shipment constituting a separate Count:



Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
174	6/28/05	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	90 Fluoxetine Pills (generic Prozac®) (20mg)	Saveon RX Florida	"K.K." in Chula Vista, CA
175	7/19/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	St. Vrain Colorado	"L.S." in Solana Beach, CA
176	8/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Tramadol Tablets (50mg)	St. Vrain Colorado	"C.M." in Vista, CA
177	8/18/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	Saveon RX Florida	"L.W." in El Cajon, CA
178	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	St. Vrain Colorado	"L.C." in Oceanside, CA
179	9/21/05	MARK ANTHONY HEREDIA TODD WURTZEL DOLORES LOVIN MARY ARONSON	90 Carisoprodol Pills (generic Soma®) (350mg)	St. Vrain Colorado	"C.T." in San Diego, CA
180	10/12/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"D.W." in Carlsbad, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
181	10/17/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	30 Ambien Tablets (10mg)	Saveon RX Florida	"P.P." in San Diego, CA
182	10/19/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	Saveon RX Florida	"S.D." in San Diego, CA
183	11/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	Saveon RX Florida	"D.S." in San Diego, CA
184	11/10/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	Saveon RX Florida	"P.G." in San Diego, CA
185	11/21/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	Saveon RX Florida	"L.H." in San Marcos, CA
186	12/2/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Carisoprodol Pills (generic Soma®) (350mg)	Saveon RX Florida	"J.K." in Carlsbad, CA
187	12/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"C.T." in Poway, CA
188	2/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	Saveon RX Florida	"D.M." in San Diego, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
189	2/7/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	Saveon RX Florida	"R.O." in Oceanside, CA
190	2/24/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"J.B." In San Diego, CA
191	2/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	Saveon RX Florida	"E.C." in San Diego, CA
192	3/7/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	Saveon RX Florida	"L.M." in Encinitas, CA
193	3/8/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Diethylpropion Tablets (75mg)	Saveon RX Florida	"L.B." in Ramona, CA
194	4/10/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	Saveon RX Florida	"B.K." in San Marcos, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
195	4/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	Saveon RX Florida	"L.C." in Lakeside, CA
196	4/20/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"H.G." in Carlsbad, CA
197	4/21/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"D.C." in Escondido, CA
198	4/21/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	St. Vrain Colorado	"D.F." in Escondido, CA
199	4/24/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	60 Phentermine Tablets (30mg)	St. Vrain Colorado	"R.K." in Chula Vista, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
200	4/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	Saveon RX Florida	"C.L." in Lakeside, CA
201	5/3/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"B.H." in Chula Vista, CA
202	5/4/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"A.H." in San Diego, CA
203	5/8/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"J.P." in San Diego, CA
204	5/10/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"T.A." in San Diego, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
205	5/15/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	St. Vrain Colorado	"K.M." in Santee, CA
206	5/18/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"B.S." in Chula Vista, CA
207	5/19/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"M.A." in San Diego, CA
208	5/23/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	Saveon RX Florida	"A.R." in Oceanside, CA
209	5/23/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"H.M." in Poway, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
210	5/23/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"T.T." in El Cajon, CA
211	5/23/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"J.M." in El Cajon, CA
212	5/23/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Viagra Tablets (100mg)	Saveon RX Florida	"R.C." in Escondido, CA
213	5/24/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"K.F." in Vista, CA
214	5/25/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"J.F." in Escondido, CA



Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
215	5/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"T.D." in San Diego, CA
216	5/26/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"E.A." in San Diego, CA
217	5/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	Saveon RX Florida	"N.M." in San Diego, CA
218	5/30/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Carisoprodol Pills (generic Soma®) (350mg)	Saveon RX Florida	"D.M." in Chula Vista, CA
219	5/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	Saveon RX Florida	"L.D." in Vista, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
220	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	Saveon RX Florida	"M.L." in Valley Center, CA
221	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"A.F." in Carlsbad, CA
222	6/2/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"J.V." in Chula Vista, CA
223	6/2/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"M.P." in San Diego, CA
224	6/7/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	Saveon RX Florida	"C.L." in Lakeside, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
225	6/7/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"A.F." in Oceanside, CA
226	6/12/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"A.R." in San Diego, CA
227	6/12/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"H.D." in Bonita, CA
228	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"D.C." in San Diego, CA
229	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"S.F." in San Marcos, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
230	6/15/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"C.P." in Lemon Grove, CA
231	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	Saveon RX Florida	"D.L." in Fallbrook, CA
232	6/20/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"S.V." in Chula Vista, CA
233	6/21/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	30 Cyclobenzaprine Pills (10mg)	Saveon RX Florida	"D.L." in Fallbrook, CA
234	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	St. Vrain Colorado	"L.C." in Oceanside, CA
235	6/2/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"M.B." in Escondido, CA

Count	Date of Deposit with Federal Express	Defendants	Ordered Drug	Pharmacy Shipping Drugs and State	Customer and Delivery Location
236	6/5/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	Saveon RX Florida	"S.B." in San Diego, CA

All in violation of Title 18, United States Code, Sections 1341 and 2.

**Count 237**

(Conspiracy to Commit Money Laundering)

48. Paragraphs 1 through 13 and 24 through 35 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

49. From in or about August 2004 through in or about June 2006, both dates being approximate and inclusive, within the Southern District of California and elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON, DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known and unknown to the grand jury, knowingly and intentionally conspired to commit the following offenses against the United States:

a. to conduct financial transactions affecting interstate and foreign commerce which involved the proceeds of specified unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18,

1 United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code,  
2 Section 1341, knowing that the property involved in the financial transactions represents the  
3 proceeds of some form of unlawful activity, with the intent to promote the carrying on of such  
4 specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i);

5 b. to conduct financial transactions affecting interstate and foreign commerce  
6 which involved the proceeds of specified unlawful activity, that is, (1) the distribution and  
7 dispensing of, and conspiracy to distribute and dispense, controlled substances, in violation of  
8 Title 21, United States Code, Sections 841(a)(1) and 846; (2) wire fraud, in violation of Title 18,  
9 United States Code, Section 1343; and (3) mail fraud, in violation of Title 18, United States Code,  
10 Section 1341, knowing both that the property involved in the financial transactions represents the  
11 proceeds of some form of unlawful activity and that the transactions are designed in whole or in part  
12 to conceal and disguise the nature, location, source, ownership and control of the proceeds of such  
13 specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);

14 c. to transport, transmit, and transfer funds from a place in the United States to  
15 and through a place outside the United States, and to a place in the United States from and through  
16 a place outside the United States, with the intent to promote the carrying on of specified unlawful  
17 activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and dispense,  
18 controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; (2)  
19 wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail fraud, in violation  
20 of Title 18, United States Code, Section 1341, in violation of Title 18, United States Code,  
21 Section 1956(a)(2)(A); and

22 d. to transport, transmit, and transfer funds from a place in the United States to  
23 and through a place outside the United States, and to a place in the United States from and through  
24 a place outside the United States, knowing that the funds involved in the transportation,  
25 transmission, and transfer represent the proceeds of some form of unlawful activity and knowing that  
26 such transportation, transmission, and transfer is designed in whole or in part to conceal and disguise  
27

1 the nature, the location, the source, the ownership, and the control of the proceeds of specified  
 2 unlawful activity, that is, (1) the distribution and dispensing of, and conspiracy to distribute and  
 3 dispense, controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1)  
 4 and 846; (2) wire fraud, in violation of Title 18, United States Code, Section 1343; and (3) mail  
 5 fraud, in violation of Title 18, United States Code, Section 1341, in violation of Title 18, United  
 6 States Code, Section 1956(a)(2)(B)(i).

7 All in violation of Title 18, United States Code, Section 1956(h).

8 **Count 238**

9 (Conspiracy to Dispense Misbranded Drugs)

10 50. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as  
 11 if fully set forth herein.

12 **Objects of the Conspiracy**

13 51. From in or about August 2004 through in or about June 2006, both dates being  
 14 approximate and inclusive, within the Southern District of California and elsewhere, the defendants  
 15 MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL,  
 16 aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON,  
 17 SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS,  
 18 M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL,  
 19 HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA,  
 20 BESSIE K. RICOARANGO, and NATHAN JACOBSON, together, and with other persons known  
 21 and unknown to the grand jury, knowingly and intentionally conspired to dispense prescription  
 22 drugs, including but not limited to benzphetamine; Didrex®; phendimetrazine; Bontril®; Adipost®;  
 23 diethylpropion; Tenuate®; phentermine; Adipex-P®; sibutramine; Meridia®; zaleplon; Sonata®;  
 24 zolpidem tartrate; Ambien®; amitriptyline; bupropion; Wellbutrin®; Zyban®; buspirone;  
 25 carisoprodol; Soma®; Celexa®; cyclobenzaprine; Flexeril®; estradiol; fluoxetine; Prozac®;  
 26 fluvoxamine; paroxetine; Paxil®; sertraline; Zoloft®; sildenafil; Viagra®; tadalafil; Cialis®;  
 27  
 28

1 tizanidine; Zanaflex®; and tramadol, without valid written prescriptions of a practitioner licensed  
2 by law to administer such drugs, which would cause the drugs to become misbranded while held for  
3 sale, and to dispense such drugs after their shipment in interstate commerce and with the intent to  
4 defraud and mislead the purchasers of said drugs and government regulatory agencies, in violation  
5 of Title 21, United States Code, Sections 353(b)(1), 331(k), and 333(a)(2).

6 **Overt Acts**

7 52. In furtherance of the conspiracy, and to accomplish its unlawful objectives, the overt  
8 acts alleged as Racketeering Acts in paragraph 21 of this Indictment, hereby realleged and  
9 incorporated as if fully set forth herein, were committed within the Southern District of California  
10 and elsewhere.

11 All in violation of Title 18, United States Code, Section 371.

12 **Counts 239 - 313**

13 (Dispensing Misbranded Drugs)

14 53. Paragraphs 1 through 13 of this Indictment are hereby realleged and incorporated as  
15 if fully set forth herein.

16 54. On or about the dates alleged below, within the Southern District of California and  
17 elsewhere, the defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON,  
18 TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY  
19 ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C.  
20 MORRIS, M.D., DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES  
21 BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P.  
22 BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON knowingly and  
23 intentionally dispensed prescription drugs, as alleged below, without valid written prescriptions of  
24 a practitioner licensed by law to administer such drugs, causing the drugs to become misbranded  
25 while held for sale, and dispensed such drugs after their shipment in interstate commerce and with  
26



the intent to defraud and mislead the purchasers of said drugs and government regulatory agencies,  
each such dispensing constituting a separate Count:

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
239	7/19/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.S." in Solana Beach, CA
240	8/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"L.L." in San Diego, CA
241	8/18/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.W." in El Cajon, CA
242	8/19/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER NATHAN JACOBSON	90 Didrex Tablets (50mg)	III	"J.D." in La Jolla, CA
243	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.C." in Oceanside, CA
244	9/13/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL	90 Ambien Tablets (10mg)	IV	"B.R." in San Diego, CA
245	10/12/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.W." in Carlsbad, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
246	10/17/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"P.P." in San Diego, CA
247	10/19/05	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"S.D." in San Diego, CA
248	11/9/05	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"D.S." in San Diego, CA
249	11/10/05	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"P.G." in San Diego, CA
250	11/21/05	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (30mg)	IV	"L.H." in San Marcos, CA
251	12/15/05	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.T." in Poway, CA
252	2/1/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT TODD WURTZEL CLAUDE COVINO	30 Didrex Tablets (50mg)	III	"D.M." in San Diego, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
253	2/7/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Didrex Tablets (50mg)	III	"R.O." in Oceanside, CA
254	2/24/06	MARK ANTHONY HEREDIA BESSIE K. RICOARANGO TODD WURTZEL CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.B." In San Diego, CA
255	2/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"E.C." in San Diego, CA
256	3/7/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"L.M." in Encinitas, CA
257	3/8/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER TODD WURTZEL CLAUDE COVINO	90 Diethylpropion Tablets (75mg)	IV	"L.B." in Ramona, CA
258	3/28/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"G.N." in Cardiff by the Sea, CA
259	3/29/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Oceanside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
260	4/10/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	IV	"B.K." in San Marcos, CA
261	4/12/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"L.C." in Lakeside, CA
262	4/20/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.G." in Carlsbad, CA
263	4/21/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"D.C." in Escondido, CA
264	4/24/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"R.K." in Chula Vista, CA
265	4/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
266	5/3/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.H." in Chula Vista, CA
267	5/4/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.H." in San Diego, CA
268	5/8/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.P." in San Diego, CA
269	5/10/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"T.A." in San Diego, CA
270	5/12/06	MARK ANTHONY HEREDIA CHANDRESH B. SHAH WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON	30 Ambien Tablets (10mg)	IV	"P.C." in San Diego, CA
271	5/18/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"B.S." in Chula Vista, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
272	5/19/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.A." in San Diego, CA
273	5/23/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.T." in El Cajon, CA
274	5/23/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.M." in El Cajon, CA
275	5/24/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.F." in Vista, CA
276	5/25/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.F." in Escondido, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
277	5/25/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.D." in San Diego, CA
278	5/26/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"E.A." in San Diego, CA
279	5/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"N.M." in San Diego, CA
280	5/26/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.S." in Alpine, CA
281	5/31/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.D." in Vista, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
282	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.L." in Valley Center, CA
283	6/1/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Carlsbad, CA
284	6/2/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER GERALD C. MORRIS WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"C.S." in Santee, CA
285	6/2/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.V." in Chula Vista, CA
286	6/2/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.P." in San Diego, CA
287	6/7/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	30 Ambien Tablets (10mg)	IV	"C.L." in Lakeside, CA



Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
288	6/7/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON	90 Phentermine Tablets (37.5mg)	IV	"A.C." in San Diego, CA
289	6/7/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.F." in Oceanside, CA
290	6/9/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CLAUDE COVINO	30 Ambien Tablets (10mg)	IV	"G.S." in San Marcos, CA
291	6/12/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL GERALD C. MORRIS WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"A.R." in San Diego, CA
292	6/12/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"H.D." in Bonita, CA
293	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.M." in Oceanside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
294	6/13/06	MARK ANTHONY HEREDIA DAVID ELDON FISHER GERALD C. MORRIS WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"M.S." in San Diego, CA
295	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"D.C." in San Diego, CA
296	6/14/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.F." in San Marcos, CA
297	6/15/06	MARK ANTHONY HEREDIA HENRIKO CHUNG CHANDRESH B. SHAH WILLIAM P. HARRINGTON CLAUDE COVINO	90 Phentermine Tablets (37.5mg)	IV	"C.P." in Lemon Grove, CA
298	6/16/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"T.S." in San Diego, CA
299	6/20/06	MARK ANTHONY HEREDIA JEFFREY A. LIGHT WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (105mg)	III	"D.L." in Fallbrook, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
300	6/20/06	MARK ANTHONY HEREDIA HENRIKO CHUNG SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.V." in Chula Vista, CA
301	6/26/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"J.O." in San Diego, CA
302	6/27/06	MARK ANTHONY HEREDIA HENRIKO CHUNG WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"D.R." in San Diego, CA
303	6/28/06	MARK ANTHONY HEREDIA WILLIAM P. HARRINGTON DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	30 Phentermine Tablets (37.5mg)	IV	"S.A." in Spring Valley, CA
304	6/29/06	MARK ANTHONY HEREDIA TRACY ONEAL TYLER SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.W." in Carlsbad, CA
305	9/12/05	MARK ANTHONY HEREDIA DAVID ELDON FISHER TODD WURTZEL DOLORES LOVIN MARY ARONSON NATHAN JACOBSON	90 Phentermine Tablets (30mg)	IV	"L.C." in Oceanside, CA

Count	Date of Drug Shipment	Defendants	Drug and Dosage	Schedule	Customer and Delivery Location
306	1/27/06	MARK ANTHONY HEREDIA HENRIKO CHUNG TODD WURTZEL	90 Phentermine Tablets (37.5mg)	IV	"M.K." in Escondido, CA
307	1/31/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA TODD WURTZEL	90 Phentermine Tablets (37.5mg)	IV	"D.S." in San Diego, CA
308	2/27/06	MARK ANTHONY HEREDIA PETER P. BRAGANSA	90 Phendimetrazine (105mg)	III	"K.S." in Oceanside, CA
309	4/4/06	MARK ANTHONY HEREDIA CLAUDE COVINO NATHAN JACOBSON	60 Phentermine Tablets (30mg)	IV	"J.C." in Carlsbad, CA
310	6/2/06	MARK ANTHONY HEREDIA RICHARD EDWARD KOCH WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"M.B." in Escondido, CA
311	6/5/06	MARK ANTHONY HEREDIA PHILIP JAMES BIDWELL WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"S.B." in San Diego, CA
312	6/9/06	MARK ANTHONY HEREDIA WILLIAM P. HARRINGTON NATHAN JACOBSON	90 Phentermine Tablets (37.5mg)	IV	"K.W." in Carlsbad, CA
313	6/20/06	MARK ANTHONY HEREDIA SUBRAMANYA K. PRASAD WILLIAM P. HARRINGTON CLAUDE COVINO NATHAN JACOBSON	90 Phendimetrazine (35mg)	III	"E.A." in San Diego, CA

All in violation of Title 21, United States Code, Sections 353(b)(1), 331(k), and 333(a)(2).

**CRIMINAL FORFEITURE ALLEGATION NO. 1**

(RICO Forfeiture)

55. The allegations contained in Counts 1 and 2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 1963. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 1963 in the event of any defendant's conviction under Counts 1 and 2 of this Indictment.

56. The defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELTON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON

(i) have acquired and maintained interests in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

(ii) have an interest in, security of, claims against, and property and contractual rights which afford a source of influence over, the enterprise named and described herein which the defendants established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and

(iii) have property constituting and derived from proceeds obtained, directly and indirectly, from racketeering activity, in violation of Title 18, United States Code, Section 1962,

which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

57. The interests of the defendants subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1), (a)(2), and (a)(3), include but are not limited to:

(i) A sum of money equal to at least \$126,201,175.96, representing the amount of proceeds obtained as a result of the violations alleged in Counts 1 and 2 of the Indictment, and all interests and proceeds traceable thereto, an amount which includes but is not limited to all funds in the following bank accounts:

Institution	Account Number	Account Name	Controlled By
USAA Federal Savings Bank, San Antonio, TX	30402719	David Fisher	David Fisher
U.S. Bank, Bend, OR	153652613776	David Fisher	David Fisher
Wachovia Bank , Hollywood, FL	2000025604308	Internet Marketing	Peter Bragansa
Bank of America, Ft. Lauderdale, FL	005487581493	Internet Marketing	Peter Bragansa
Washington Mutual, Fontana, CA	0673428506	Richard Koch	Richard Koch
Community Bank, Rockwall, TX	430068510	Cybercom Ventures, Inc.	Jeffrey A. Light
State Bank & Trust, Carrollton, TX	112004957	Convergent Marketing	Philip J. Bidwell
Bank of America, Palm Springs, FL	0036-7113-1541	Naiser, LLC	Henriko Chung
Wells Fargo Bank, Dallas, TX	6221360222	Tracy Tyler	Tracy Tyler
American Bank of Texas, Horseshoe Bay, TX	2323400	Jim Tyler	Tracy Tyler
Wachovia Bank, Coral Gables, FL	1010124748981	Todd Wurtzel	Todd Wurtzel

Institution	Account Number	Account Name	Controlled By
Wachovia Bank, Coral Springs, FL	2000006756851	Net Exchange Inc.	Todd Wurtzel
Wachovia Bank, Seminole, FL	2000026013503	The Direct Meds	William Harrington
Wachovia Bank, Seminole, FL	2000026013723	Direct Meds, Inc.	William Harrington
Bank of America, Ft. Lauderdale, FL	003768570772	Saveon RX, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	003762243953	Best Diabetic Supply, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	5486885543	Cosmo Consulting, Inc.	Claude Covino
Washington Mutual, Pembroke Pines, FL	0678915805	Hundred Monkeys, Inc.	Bessie Ricoarango
Wachovia Bank, Smyrna, GA	1010145032414	Chandresh Shah	Chandresh Shah
Edgartown National Bank, Oak Bluffs, MA	6068431	Gerald Morris	Gerald Morris

(ii) All interest in and control over the following domain names, wherever registered:

*buyallprescriptions.com*

*us-meds.com*

*secureprescriptionsonline.com*

*ubuyrx.com*

*millennium-pharmacy.com*

*medlinedrugs.com*

*officialpillsrx.com*

*horizonmeds.com*

*valuetrustrx.com*

*drugprescribe.com*

*rxdrugstore.us*

*life-meds.com*

*secure-pills-online.com*

1 *dietprescriptions.org*  
 2 *expressdrugstore.biz*  
 3 *easyprescribe.com*  
 4 *weldonpharmacy.com*  
 5 *pillscouts.com*  
 6 *pills-discount.info*  
 7 *medsshop.com*  
 8 *medsource-pharmacy.com*  
 9 *orderonlinepharmacy.com*  
 10 *netmedsdirect.com*  
 11 *medsdirect-md.com*  
 12 *ndapharmacy.com*  
 13 *giantrx.com*  
 14 *rxmedcorp.com*  
 15 *thepillstore.com*  
 16 *drugdepot.com*  
 17 *cheappillsonline.com*  
 18 *american-meds-direct.com*  
 19 *cheap-us-pharmacy.com*  
 20 *realpills.com*  
 21 *silverdrugs.com*  
 22 *rx-listings.com*  
 23 *mgdrugstore.com*  
 24 *mrhappypill.com*

18 (iii) All interest in and control over the computers, computer storage devices,  
 19 peripherals, and related electronic devices, and their contents, data, information, code used to  
 20 generate and process data and other files, in any format whether physical or electronic, including the  
 21 backups, printouts, and unpublished drafts, which comprise or were used in the operation of any  
 22 website associated with any of the foregoing domain names or through which customers purchased  
 23 drugs from the Affpower enterprise.

24 58. If any of the above-described forfeitable property, as a result of any act or omission  
 25 of the defendants –

26 (i) cannot be located upon the exercise of due diligence;



- (ii) has been transferred or sold to, or deposited with, a third party;
- (iii) has been placed beyond the jurisdiction of the Court;
- (iv) has been substantially diminished in value; or
- (v) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of the defendants up to the value of the said property listed above as being subject to forfeiture.

59. The above-named defendants, and each of them, are jointly and severally liable for the forfeiture obligations as alleged above.

All in violation of Title 18, United States Code, Section 1963.

## **CRIMINAL FORFEITURE ALLEGATION NO. 2**

(Distribution and Dispensing of Controlled Substances Forfeiture)

60. The allegations contained in Counts 3 through 78 are hereby realleged and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with Title 21, United States Code, Section 853 in the event of any defendant's conviction under Counts 3 through 78 of this Indictment.

61. As a result of the commission of the felony offenses alleged in Counts 3 through 78 of this Indictment, said violations being punishable by imprisonment for more than one year, and pursuant to Title 21, United States Code, Section 853(a)(1), defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON, SUBRAMANYA K. PRASAD, M.D., CHANDRESH B. SHAH, M.D., GERALD C. MORRIS, M.D., DAVID ELDON FISHER,

RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON shall, upon conviction, forfeit to the United States all their rights, title and interest in any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of the offenses, and all of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, including but not limited to:

(i) A sum of money equal to at least \$126,201,175.96, representing the amount of proceeds obtained as a result of the violations alleged in Counts 3 through 78 of the Indictment, an amount which includes but is not limited to all funds in the following bank accounts:

Institution	Account Number	Account Name	Controlled By
USAA Federal Savings Bank, San Antonio, TX	30402719	David Fisher	David Fisher
U.S. Bank, Bend, OR	153652613776	David Fisher	David Fisher
Wachovia Bank , Hollywood, FL	2000025604308	Internet Marketing	Peter Bragansa
Bank of America, Ft. Lauderdale, FL	005487581493	Internet Marketing	Peter Bragansa
Washington Mutual, Fontana, CA	0673428506	Richard Koch	Richard Koch
Community Bank, Rockwall, TX	430068510	Cybercom Ventures, Inc.	Jeffrey A. Light
State Bank & Trust, Carrollton, TX	112004957	Convergent Marketing	Philip J. Bidwell
Bank of America, Palm Springs, FL	0036-7113-1541	Naiser, LLC	Henriko Chung
Wells Fargo Bank, Dallas, TX	6221360222	Tracy Tyler	Tracy Tyler
American Bank of Texas, Horseshoe Bay, TX	2323400	Jim Tyler	Tracy Tyler

Institution	Account Number	Account Name	Controlled By
Wachovia Bank, Coral Gables, FL	1010124748981	Todd Wurtzel	Todd Wurtzel
Wachovia Bank, Coral Springs, FL	2000006756851	Net Exchange Inc.	Todd Wurtzel
Wachovia Bank, Seminole, FL	2000026013503	The Direct Meds	William Harrington
Wachovia Bank, Seminole, FL	2000026013723	Direct Meds, Inc.	William Harrington
Bank of America, Ft. Lauderdale, FL	003768570772	Saveon RX, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	003762243953	Best Diabetic Supply, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	5486885543	Cosmo Consulting, Inc.	Claude Covino
Valley Bank & Trust, Lyons, CO	40102001	St. Vrain Pharmacy	Dolores Lovin and Mary Aronson
Washington Mutual, Pembroke Pines, FL	0678915805	Hundred Monkeys, Inc.	Bessie Ricoarango
Wachovia Bank, Smyrna, GA	1010145032414	Chandresh Shah	Chandresh Shah
Edgartown National Bank, Oak Bluffs, MA	6068431	Gerald Morris	Gerald Morris

(ii) All interest in and control over the following domain names, wherever registered:

*buyallprescriptions.com*  
*us-meds.com*  
*secureprescriptionsonline.com*  
*ubuyrx.com*  
*millennium-pharmacy.com*  
*medlinedrugs.com*  
*officialpillsr.com*  
*horizonmeds.com*  
*valuetrustrx.com*

1 *drugprescribe.com*  
 2 *rxdrugstore.us*  
 3 *life-meds.com*  
 4 *secure-pills-online.com*  
 5 *dietprescriptions.org*  
 6 *expressdrugstore.biz*  
 7 *easyprescribe.com*  
 8 *weldonpharmacy.com*  
 9 *pillscouts.com*  
 10 *pills-discount.info*  
 11 *medsshop.com*  
 12 *medsource-pharmacy.com*  
 13 *orderonlinepharmacy.com*  
 14 *netmedsdirect.com*  
 15 *medsdirect-md.com*  
 16 *ndapharmacy.com*  
 17 *giantrx.com*  
 18 *rxmedcorp.com*  
 19 *thepillstore.com*  
 20 *drugdepot.com*  
 21 *cheappillsonline.com*  
 22 *american-meds-direct.com*  
 23 *cheap-us-pharmacy.com*  
 24 *realpills.com*  
 25 *silverdrugs.com*  
 26 *rx-listings.com*  
 27 *mgdrugstore.com*  
 28 *mrhappypill.com*

21 (iii) All interest in and control over the computers, computer storage devices,  
 22 peripherals, and related electronic devices, and their contents, data, information, code used to  
 23 generate and process data and other files, in any format whether physical or electronic, including the  
 24 backups, printouts, and unpublished drafts, which comprise or were used in the operation of any  
 25 website associated with any of the foregoing domain names or through which customers purchased  
 26 drugs from the Affpower enterprise.  
 27  
 28

1           62. If any of the above-described forfeitable property, as a result of any act or omission  
2 of the defendants –

- 3                   (i) cannot be located upon the exercise of due diligence;  
4                   (ii) has been transferred or sold to, or deposited with, a third party;  
5                   (iii) has been placed beyond the jurisdiction of the Court;  
6                   (iv) has been substantially diminished in value; or  
7                   (v) has been commingled with other property which cannot be subdivided  
8 without difficulty;  
9

10 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek  
11 forfeiture of any other property of the defendants up to the value of the said property listed above as  
12 being subject to forfeiture.

13           63. The above-named defendants, and each of them, are jointly and severally liable for  
14 the forfeiture obligations as alleged above.

15 All in violation of Title 21, United States Code, Section 853.  
16

17                   **CRIMINAL FORFEITURE ALLEGATION NO. 3**

18                   (Money Laundering)

19           64. The allegations contained in Count 237 are hereby realleged and incorporated by  
20 reference for the purpose of alleging forfeiture to the United States of America pursuant to the  
21 provisions of Title 18, United States Code, Section 982. Pursuant to Rule 32.2, Fed. R. Crim. P.,  
22 notice is hereby given to the defendants that the United States will seek forfeiture as part of any  
23 sentence in accordance with Title 18, United States Code, Section 982 in the event of any  
24 defendant's conviction under Count 237 of this Indictment.

25           65. As a result of the commission of the felony offense alleged in Count 237 of this  
26 Indictment, defendants MARK ANTHONY HEREDIA, WILLIAM POLK HARRINGTON, TODD  
27 WURTZEL, aka "Sonny Gallo," CLAUDE COVINO, DOLORES LOVIN, MARY ARONSON,  
28

DAVID ELDON FISHER, RICHARD EDWARD KOCH, PHILIP JAMES BIDWELL, HENRIKO CHUNG, JEFFREY A. LIGHT, TRACY ONEAL TYLER, PETER P. BRAGANSA, BESSIE K. RICOARANGO, and NATHAN JACOBSON shall, upon conviction, forfeit to the United States all their rights, title and interest in any and all property involved in such offense, and any property traceable to such property, including but not limited to a sum of money equal to at least \$126,201,175.96, representing the amount of money involved in the conspiracy to commit money laundering, as charged in Count 237 of this Indictment, and all property traceable thereto, an amount which includes but is not limited to all funds in the following bank accounts:

Institution	Account Number	Account Name	Controlled By
USAA Federal Savings Bank, San Antonio, TX	30402719	David Fisher	David Fisher
U.S. Bank, Bend, OR	153652613776	David Fisher	David Fisher
Wachovia Bank , Hollywood, FL	2000025604308	Internet Marketing	Peter Bragansa
Bank of America, Ft. Lauderdale, FL	005487581493	Internet Marketing	Peter Bragansa
Washington Mutual, Fontana, CA	0673428506	Richard Koch	Richard Koch
Community Bank, Rockwall, TX	430068510	Cybercom Ventures, Inc.	Jeffrey A. Light
State Bank & Trust, Carrollton, TX	112004957	Convergent Marketing	Philip J. Bidwell
Bank of America, Palm Springs, FL	0036-7113-1541	Naiser, LLC	Henriko Chung
Wells Fargo Bank, Dallas, TX	6221360222	Tracy Tyler	Tracy Tyler
American Bank of Texas, Horseshoe Bay, TX	2323400	Jim Tyler	Tracy Tyler
Wachovia Bank, Coral Gables, FL	1010124748981	Todd Wurtzel	Todd Wurtzel

Institution	Account Number	Account Name	Controlled By
Wachovia Bank, Coral Springs, FL	2000006756851	Net Exchange Inc.	Todd Wurtzel
Wachovia Bank, Seminole, FL	2000026013503	The Direct Meds	William Harrington
Wachovia Bank, Seminole, FL	2000026013723	Direct Meds, Inc.	William Harrington
Bank of America, Ft. Lauderdale, FL	003768570772	Saveon RX, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	003762243953	Best Diabetic Supply, Inc.	Claude Covino
Bank of America, Ft. Lauderdale, FL	5486885543	Cosmo Consulting, Inc.	Claude Covino
Valley Bank & Trust, Lyons, CO	40102001	St. Vrain Pharmacy	Dolores Lovin and Mary Aronson
Washington Mutual, Pembroke Pines, FL	0678915805	Hundred Monkeys, Inc.	Bessie Ricoarango

66. If any of the above-described forfeitable property, as a result of any act or omission of the defendants –

- (i) cannot be located upon the exercise of due diligence;
- (ii) has been transferred or sold to, or deposited with, a third party;
- (iii) has been placed beyond the jurisdiction of the Court;
- (iv) has been substantially diminished in value; or
- (v) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the said property listed above as being subject to forfeiture.

1           67.     The above-named defendants , and each of them, are jointly and severally liable for  
2 the forfeiture obligations as alleged above.

3 All in violation of Title 18, United States Code, Section 982.

4           DATED: July 27, 2007.

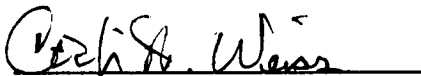
6                           A TRUE BILL:

7   
8

9                           Foreperson

10           KAREN P. HEWITT  
11           United States Attorney

12  
13 By:



14           CORBIN A. WEISS  
15           Special Assistant U.S. Attorney  
16           Senior Counsel,  
17           U.S. Department of Justice  
18           Criminal Division  
19           Computer Crime and Intellectual Property Section  
20           Washington, D.C.